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साप्ताहिक

WEEKLY

सं. 3]

नई दिल्ली, जनवरी 9 जनवरी 15, 2011, सनिवार/पीच 19 जीव 25, 1982

No.3]

NEW DELHI, SATURDAY, JANUARY 9- JANUARY 15, 2011 PAUSA 15 PAUSA 25, 1815

इस भाग में भिन पृष्ठ संख्या दी जाती है जिससे कि यह पृष्ट सहत्व में उन्हें का कि Separate Paging is given to this Part in order that it gray be

PART II—Section — Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वार करी किए गर्न स्वीतिक क्रिकेट की क्रिकेट की Statutory Orders and Notifications Issued by the Ministry of Defence).

कृषि मंत्रीलय

(कृषि एवं सहकारिका विभाष)

नई दिल्ली, 3 दिसाबर, 2010

का.आ. 136. - मारियस विकास बोर्ड अधिनियम, 1979 (1979 का.ड) की बारा 19 हारा प्रवत्त का प्रयोग करते कर के द सरकार एतदद्वारा नारियल विकास बोर्ड नियमावली, 1981 में आने संगोईन करने के लिए निम्निलिक्त निवस क्यारी है, नामत

- 1. (1) इन नियमों को बारिबल विकास बोई (संशोधन) नियम, 2010 कहा जाएँ।।
 - (2) ये नियम राजपत्र में प्रकाशन तारीख से प्रवृत्त होते।
- 2. नारियल विकास बोर्ड नियम, 1981 में :--
 - (i) नियम 11 के तहत ठंप नियम (2) के लिये निम्निलिखत प्रतिस्थामित क्रिया जासेता नासताः है
 - "(2) यदि उपाच्यक्ष के पर पर त्यागपंत्र या उसकी सदस्यता सम्बन्ध होने के नामी या किस्सी अपनिवास के किसी क्षेत्र के किसी अपनिवास के किसी अपनिवास के किसी आपनिवास के किसी आपनिवास के किसी आपनिवास के किसी आपनिवास के सम्बन्ध के सिंद्र माह की पूर्ण अवधि के लिये या बोर्ड के सदस्य के स्वामी अपनिवास की सम्बन्ध की सम्बन्ध के स्वामी अपनिवास की सम्बन्ध की सम्बन्ध के स्वामी अपनिवास की सम्बन्ध के सम्बन्ध के स्वामी अपनिवास की समाम अपनिवास की

(333)

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(ii) नियम 16 के तहत उप-नियम (2) में खण्ड (क) के लिये निम्नलिखित खण्ड प्रतिस्थापित किया जायेगा, नामतः :—

'(क) अञ्चल समूह "ग" पदों पर नियुक्ति कर सकता है ।"

[फा. सं. 4-29/2007-बरगवानी-II] संजीव चोपड़ा, संयुक्त सविव

टिपाणी

प्राचार निम्नुतंत्रको मार्च के ग्रमपत्र के भाग II, खण्ड 3, उप-खण्ड (i) सा.का.नि. 34(अ) दिनांक 28 जनवरी, 1981 के तहत क्वारित की गई की तथा तर्परचात् इसमें 13 फरवरी, 2002 की अधिसूचना सं. का. आ. 198(अ) तथा दिनांक 19 अप्रैल, 2002 व व अधिसूचना सं. को आ. 450(अ) के तहत संशोधन किये गये थे।

MINISTRY OF ACRICULTURE

(Department of Agriculture and Etoperation)

New Delhi, the 31st December, 2010

- S.O. 136. —In exercise of the powers conferred by section 19 of the Coconut Development Board, Act, 1979 (5 of 1979), the Central Government hereby makes the following rules further to amend the Coconut Development Board Rules, 1981, namely.
 - I. (1) These . tules may be called the Coconut Development Board (Amendment) Rules, 2010.
 - (2) They shall come into force from the date of their publication in the Official Gazette.
 - 2. In the Cocon at Development Board Rules, 1981:—
 - (i) In rule 11, for sub-rule (2), the following shall be substituted, namely:—
 - "(2) If a casual vacancy occurs in the office of the Vice-Chairman on account of resignation or his ceasing to be a meritor or otherwise, the Board shall, at its next meeting, elect another member to be the Vice-Chairman from amongst its members who shall hold office for the full term of twelve months or till the expiry of his term at member of the Board, whichever is earlier."
 - (ii) In rule 16, in sub-rule (2), for clause (a), the following clause shall be substituted, namely—
 - "(a) The Chairman may make appoints to group "C" posts"

[F. No. 4-29/2007-Horticulture-II] SANJEEV CHOPRA, Jt. Secy.

Note

The principal rules were published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 34(E), dated the 28th January, 1981 and subsequently amended by Notification number S.O. 198(E), dated the 13th February, 2002 and notification S.O. 450 (E), dated the 19th April, 2002.

'स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और भरिवार कल्याण विभाग)

नई दिल्ली, 22 नवम्बर, 2010

- का.आ. 137.—केन्द्रीय सरकार, भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय चिकित्सा परिषद् के परामर्श से मान्यता प्रदान करने वाले विश्वविद्यालय के नाम में परिवर्तन के कारण उक्त अधिनियम की प्रयम अनुसूची में आगे निम्निलिखित संशोधन करती है, नामतः :—
- 2. उक्त प्रथम अनुसूत्री में "बंगलीर विश्वविद्यालय, कर्नाटक" और उसमें प्रविष्टियों के बाद "बी एल डी ई विश्वविद्यालय, बीजापुर" जोड़ा अएगा और "मान्यता प्राप्त विकित्सा अईता" शीर्षक के अंतर्गत "बी एल डी ई विश्वविद्यालय" यहां इसके बाद [कॉलम (2) में] "पंजीवरण के लिए संबिद्धा रूप" शीर्षक के अंतर्गत उससे संबंधित प्रविष्टि यहां इसके बाद [कॉलम (3) में] के सामने निम्नलिखित को अन्दर्शिक किया जाएगा, नामतः

(2)	(3)
''एनेस्थेसिया में डिप्लोमा''	डी ए
''बाल स्वास्थ्य में डिप्लीमा''	डी सी ग्रंच
''नैदानिक पैथेलॉजी में डिप्लोमा''	डी सी मी
''प्रसूति विज्ञान एवं स्त्री रोग विज्ञान में डिप्लोमा''	डी जो ओ
''अस्थिरोग में डिप्लोमा''	डी साथीं
''ओटो-रिनो-लैरिगोलॉजी में डिप्लोमा''	डी एल ओ
''डॉक्टर ऑफ मेडिसिन (संबेदनाहरण विज्ञान)''	एमडी (संवेदनाहरण विज्ञान)
''डॉक्टर ऑफ मेडिसिन (चर्म रोग, रतिज तथा कुछ रोग)''	एमडी (खीवीएल)
''डॉक्टर ऑफ मेडिसिन (जनरल मेडिसिन)''	एमड़ी (जनरल मेडिसिन)
''डॉक्टर ऑफ मेडिसिन (माइक्रो बायोतॉजी)''	एमडी (माइक्रो संयोलॉजी)
''डॉक्टर ऑफ मेडिसिन (बाल रोग विज्ञान)''	एमडी (बाल रोग विज्ञान)
''डॉक्टर ऑफ मेडिसिन (पैथोलॉजी)''	एमडी (मैबोलॉजी)
''डॉक्टर ऑफ मेडिसिन (फिजियोलॉजी)''	एमडी (फिबियोलॉबी)
''डॉक्टर ऑफ मेडिसिन (सामाजिक एवं निवारक मेडिसिन सामुदायिक मेडिसिन)''	एमडी (एसपीएम/समुदाय)
''डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (एनाटोमी)''	एमडी/एमएस (एनाटोमी)
''डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (प्रसूति विज्ञान एवं स्त्री रॉग विज्ञान)''	एमडी/एमएस (ओबोजी)
''मास्टर ऑफ सर्जरी (ईएनटी)''	, एमएस (ईएनटी)
''मास्टर ऑफ सर्जरी (जनरल सर्जरी)'!	एमएस (जनरल सर्जरी)
''मास्टर ऑफ सर्जरी (अस्थिरोग विज्ञान)''	एमएस (अस्थिरोग विज्ञान)

(श्री बी एम पाटिल मेडिकल कालेज, बीजापुर में दाखिला लिए झात्रों की बाबत बी एल डी ई विश्वविद्यालय, बीजापुर, कर्जुटक द्वारा फरवरी, 2008 को या उसके बाद प्रदान की गई चिकित्सा अईता मान्यतंप्रकृत होगी) ।

> [का. सं. यू-12012/174/2010-एमई (पी-11)] अनीता त्रिपाठी, अबर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 22nd November, 2010

S.O. 137.—In exercise of the powers conferred by subsection (2) of the Section II of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change in name of affiliating University namely:—

In the said First Schedule after "Bangalore University, Karnataka" and entries thereto "BLOE University, Bijapur" shall be added and against "BLDE University" under the heading 'Recognised Medical Qualification [hereinafter referred to as column (2)], and entry relating thereto under the heading 'Abbreviation for Registration' [hereinafter referred to as column (3)], the following shall be inserted, namely:—

	(3)
Diploma in Arraesthesia".	D.A.
Diploma in Child Health	D.C.H.
D ploma in Clinical Pathology"	D.C.P.
Diploma in Obstetrics and Gynaecology"	DGO
Diploma in Orthopaedies, 1946	D. Ortho
Diploma in Oto-Rhino-Laryngillagy"	D.L.O.
Doctor of Medicing (Anaesthesiology)"	MD (Anaestiresiology)
Doctor of Medicine (Dermatology, Venerology and Leprosy)"	MD(DVL)
Dector of Medicine (General Medicine)"	MD (General Medicine)
Dector of Medicine (Microbiology)	MD (Microbiology)
Doctor of Medicine (Paedian ics.)	MD (Pacálatrics)
Doctor of Medicine (Pathology)	MD (Pathology)
Doctor of Medicine (Physiology)"	MD (Physiology)
Doctor of Medicine (Social and Preventive Medicine/Community Medicine	ine)" MD (S.P.M./Community Medicine)
Doctor of Medicine/Master of Surgery (Anatomy)	MD/M\$ (Assumy)
Doctor of Medicine/Master of Surgery (Obstetrics and Gynaecology)"	MD/MS(ORG)
Master of Surgery (ENT)"	MS(ENT)
Master of Surgery (General Surgery)	MS (General Surgery)
Master of Surgery (Orthopaedics)"	MS (Orthopaedics)
(These shall be recognised medical qualification when granted	
spect of students admitted at Shri B. M. Patil Medical College, Bijapur o	
spect of students admitted at Shri B. M. Patil Medical College, Bijapur o	[No. U-12012/174/2010-ME (P-I
spect of students admitted at Shri B. M. Patil Medical College, Bijapur o	
spect of students admitted at Shri B. M. Patil Medical College, Bijapur o नई दिल्ली, 1 दिसम्बर, 2010	[No. U-12012/174/2010-ME (P-I ANITA TRIPATHI, Under Sec
नई दिल्ली, 1 दिसम्बर, 2010 का,आर 138: पारतीय जिनिका परिषद् अधिनियम, 1956 (1956 का 10	ANITA TRIPATHI, Under Sec 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति
नई दिल्ली, 1 दिसम्बर, 2010 काः अर १८६ - पारतीय जिल्ला परिषद् अधिनियम, 1956 (1956 का 10 १ प्रयोग करते हुए, जैन्द्र संस्कार परिषद् के परामर्श करके सन्व	ANITA TRIPATHI, Under Sec 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति
नाई दिल्ली, 1 दिसम्बर, 2010 का, आर. 128: पारतीय जिल्ला परिषद् अधिनियम, 1956 (1956 का 10 1 प्रयोग करते हुए, चेन्द्र संस्कृत चीरतीय जिल्ला परिषद् के परामर्श करके सन्व धिनियम की प्रथम अनुसूको में कि विविध्य और संशोधन करती है, नामतः :	ANITA TRIPATHI, Under Sec 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति वद्ध विश्वविद्यालय के नाम में परिवर्तन के कारण उ
नई दिल्ली, 1 दिसम्बर, 2010 का.आ: 128:—पोरतीय जिल्लिस परिषद् अधिनयम, 1956 (1956 का 10 1 प्रयम करते हुए, केन्द्र संस्थान चोरतीय जिल्लिस परिषद् के परामर्श करके सम्ब धिनियम की प्रयम अनुसूची में निर्माणिका और संशोधन करती है, नामतः :— 2. उक्त प्रयम अनुसूची में अभावि साहु जी महाराज चिकित्सा निश्वविद्याल	ANITA TRIPATHI, Under Sec 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति वद्ध विश्वविद्यालय के नाम में परिवर्तन के कारण उ य, लखनऊ" और "संतोष विश्वविद्यालय, गाजियाबार
नई दिल्ली, 1 दिसम्बर, 2010 का, आर. 128:— मारतीय जिल्ला परिषद् अधिनियम, 1956 (1956 का 10 प्रयोग करते हुए, चेन्द्र संस्कार मोरतीय जिल्ला परिषद् के परामर्श करके सम्बिधित और संशोधन करती है, नामतः :— 2. उक्त प्रयोग अनुसूती में " छत्रपति साहु जी महाराज चिकित्सा निश्वविद्यारा प्रिविट के बाद कीया जाएगा तक मुक्का में प्रयोग स्वाप्त साहु जी महाराज चिकित्सा निश्वविद्यारा प्रविट के बाद कीया जाएगा तक मुक्का स्वाप्त स्वाप	ANITA TRIPATHI, Under Se 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति इद्ध विश्वविद्यालय के नाम में परिवर्तन के कारण उ य, लखनऊ'' और ''संतोष विश्वविद्यालय, गांजियांबा 'संतोष विश्वविद्यालय, गांजियांबाद'' (कॉलम 2 के
नई दिल्ली, 1 दिसम्बर, 2010 का.भर 128 — पारतीय विकास परिषद् अधिनयम, 1956 (1956 का 10 प्रयंग करते हुए, केन्द्र संस्कृत वंस्तीय विकित्स परिषद् के परामर्श करके सम्ब धिनियम की प्रथम अनुसूची में निर्माणिका और संशोधन करती है, नामतः :— 2. उक्त प्रथम अनुसूची में " छत्रपति साहु जी महाराज चिकित्सा निश्वविद्याला प्रविष्टि के बाद कींग्र जाएगा तक मानकार्याली विकित्सा अहंता शीर्षक के अंतर्गत ' संदिगित) के सीमने पंजीविक्षण की लिए सीकार रूप कॉलम (3 के रूप में संदर्भित) व	ANITA TRIPATHI, Under Se 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति इद्ध विश्वविद्यालय के नाम में परिवर्तन के कारण उ य, लखनऊ'' और ''संतोष विश्वविद्यालय, गांजियांबा 'संतोष विश्वविद्यालय, गांजियांबाद'' (कॉलम 2 के
नई दिल्ली, 1 दिसम्बर, 2010 का, आह. 128: पारतीय विकासनी परिषद् अधिनियम, 1956 (1956 का 10 प्रयोग करते हुए, केन्द्र संस्कृत पंत्रीय विकासना परिषद् के परामर्श करके सम्बिधिन म की प्रयम अनुसूची में किनोतिक और संशोधन करती है, नामतः :- 2. उक्त क्यांक की में किनोतिक महत्त्वाकी महाराज चिकित्सा निश्वविद्यारा प्रिविट के बाद की प्राप्ता की लाए सी किन स्वाप्ता अर्हता शीर्यक के अंतर्गत संदिति। के सीमन पंजी की एक सी सिंग के प्रयास कर का लाम (3 के रूप में संदिधित) व अन्तर्विट कि बा काएगा, नामतः :	ANITA TRIPATHI, Under Sec 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति बद्ध विश्वविद्यालयं के नाम में परिवर्तन के कारण उ य, लखनऊ'' और ''संतोष विश्वविद्यालयं, गांजियाबार 'संतोष विश्वविद्यालयं, गांजियाबार'' (कॉलम 2 के स के शीर्षक के अंतर्गत उक्त प्रथम अनुसूची में निम्नलिरि
नई दिल्ली, 1 दिसम्बर, 2010 का.भर 128 — पारतीय विकास परिषद् अधिनयम, 1956 (1956 का 10 प्रयंग करते हुए, केन्द्र संस्कृत वंस्तीय विकित्स परिषद् के परामर्श करके सम्ब धिनियम की प्रथम अनुसूची में निर्माणिका और संशोधन करती है, नामतः :— 2. उक्त प्रथम अनुसूची में " छत्रपति साहु जी महाराज चिकित्सा निश्वविद्याला प्रविष्टि के बाद कींग्र जाएगा तक मानकार्याली विकित्सा अहंता शीर्षक के अंतर्गत ' संदिगित) के सीमने पंजीविक्षण की लिए सीकार रूप कॉलम (3 के रूप में संदर्भित) व	ANITA TRIPATHI, Under Sec 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति इद्ध विश्वविद्यालयं के नाम में परिवर्तन के कारण उ य, लखनऊ'' और ''संतोष विश्वविद्यालय, गांजियाबार 'सतोष विश्वविद्यालय, गांजियाबार'' (कॉलम 2 के र
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का, अर गुरु: मारतीय जिन्सित परिषद् अधिनियम, 1956 (1956 का 10 प्रयोग करते हुए, फेन्द्र संस्कार मेरिकीय जिल्हित्स परिषद् के परामर्श करके सम्बितियम की प्रयम अनुवादी में किमीविकित और संशोधन करती है, नामतः : 2. उन्तर प्रयोग के स्वाद जीए जीएमा तोच महत्त्वातीय पिकित्सा अर्हता शीर्थक के अंतर्गत पिकित्सा के स्वाद जीएमा तोच महत्त्वातीय पिकित्सा अर्हता शीर्थक के अंतर्गत मंदिकित) के सामने पंजीवर्तण की लिए सीदान्त रूप कॉलम (3 के रूप में संदर्भित) व	ANITA TRIPATHI, Under Se 02) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्ति इ.इ. विश्वविद्यालयं के नाम में परिवर्तन के कारण उ य, लखनऊ'' और ''संतोष विश्वविद्यालय, गांजियाबा 'संतोष विश्वविद्यालय, गांजियाबाद'' (कॉलम 2 के के शीर्षक के अंतर्गत उक्त प्रथम अनुसूची में निम्निलिंगि

(2)"डिप्लोमा इन आब्सटेटिक्स एंड गाइनिकोलॉबी" ''डिप्लोमा इन ऑफ्येल्मालॉजी'' ''डिप्लोमा इन *ऑरबोपेंडिव*से ''डिप्लोमा इन ओटो-रहिनो-लेरिनगोलोजी' ''डाक्टर ऑफ मेडिसिन (एनेस्मीसियोलोजी) ''डाक्टर ऑफ मेडिसिन (जनरल मेडिसिन)' ''डाक्टर ऑफ मेडिसिन (पेडियाट्टिक्स)

(3)

हीजीओं

(यह गई, 2009 में अध्या उसके बाद महोन निहकल कॉलेज, गाविककर में प्रतिक्रित किए जा रहे विकारित के संबंध में संतोध विश्वविकालय, गाविककर द्वार स्वीकृत किए जाने पर मान्यकार विकार अहँता होगी)।

डीओ

(यह मई, 2009 में अभवा उसके बाद करोब भेडिकाल कॉलेज, गाविपाबाद में प्रसिद्धित किए जा रहे विद्यापियों के संबंध में संतीय विश्वविद्यालय, ताविकाबाद हारी स्वीकृत किए जाने पर मान्यतप्राप्त विश्वित्स अर्हता होगी)

ही आर्थों

(यह मई, 2009 में अवका उसके बाद संदोध केंद्रिकल कॉलेज, गृजिककर में प्रतिकित किए का दो विकाधियें को संबंध में संदोष विकाधिकतात्र, व्यक्तिकता द्वारा स्वीकृत किए जाने पर महन्यसाप्राप्त विकास अर्धता होगी)।

डीएलओं

(यह मई, 2009 में जयक इसके कर संतोष मेडिकल कॉलेज, गावियाक्षद में प्रशिवत किए का रहे विकासियें के संबंध में संतोष विश्वविद्यालय, गावियाक्षद द्वारा स्वीकृत किए जाने पर मान्यताप्रात विश्वविद्या करते होगी)।

एम डी (एनेस्वीसियोलोजी)

(यह जून, 2009 में अथवा उसके कर संतोन मेंदिकल कॉलेब, गावियाबाद में प्रसिद्धित किए जा यह किछाबियों के संबंध में संतोब जिस्कविद्धालय, गाविकाबाद हारा स्वीकृत किए जाने, पर मान्यप्रांस विकास आहेता होगी)।

एम डी (जनरल मेडिसिन)

(यह मई, 2009 में अथना उसको कर तांतिन नेविकास कॉलेक, गावियानाद में प्रतिक्रित किए या रहे विकासियें के संबंध में संतोष विश्वविद्यालय, व्यक्तिस्वाद द्वारा स्वीकृत किए जाने पर मान्यतानाचा विकास अर्थाय होगी)।

एम डी (पेडिकाट्रेक्स)

(यह पूर्व, 2007 में अनुवा इसके सार संतोष मेरिकार कॉरोन, गाविस्ताबार में प्रसिद्धित किए के के विकासिय के संबंध में संतोष किरविधासक, क्रिकार्यक क्रम

"Santosa University, Ghaziabad" shall be added and against "Santosh University, Ghaziabad" under the heading "Recognised Medical Qualification" [hereinafter referred to as column (2)], and entry relating thereto under the heading "Abbreviation

for Registration" [hereinafter referred to as column(3)] the following shall be inserted, namely:—

.

"Diploma in Child Health" "Diploma in Obstetrics and Gynaecology "Diploma in Ophthalmology" "Diploma in Orthopaedics" "Diploma in Oto-rhino-laryngology" "Doctor of Medicine (Anaesthesiology)" "Doctor of Medicine (General Medicine)"

(3)

DCH⁻

This shall be a recognised medical qualification when granted by Sautosh University, Ghaziabad in respect of students being trained at Santosh Medical College, Ghaziabad on or after June, 2009.

DGO ·

This shall be a recognised medical qualification when granted by Santosh University, Ghaziabad in respect of students being trained at Santosh Medical College, Ghaziabad on or after May, 2009.

DO

This shall be a recognised medical qualification when granted by Santosh University, Ghaziabad in respect of students being trained at Santosh Medical College, Ghaziabad on or after May, 2009.

D. Ortho.

This shall be a recognised medical qualification when granted by Santosh University, Ghazlabad in respect of students being trained at Santosh Medical College, Ghazlabad on or after May, 2009.

DLO

This shall be a recognised medical qualification when granted by Santoch University, Ghaziabad in respect of students being trained at Santosh Medical College, Ghaziabad on or after May, 2009.

MD (Anaesthesiology)

This shall be a recognised medical qualification when granted by Santosh University, Ghaziabad in respect of students being trained at Santosh Medical College, Ghaziabad on or after June. 2009.

MD (General Medicine).

This shall be a recognized medical qualification when granted by Santonia University, Ghaziahad in respect of students being trained at Santosh Medical College, Ghazahad on at after May, 2009.

MS (Orthopaedics)

This shall be a recognised medical qualification when granted by Santosh University, Ghaziabad in respect of students being trained at Santosh Medical College, Ghaziabad on or after May, 2009.

[No. U-12012/181/2010-ME (P-II)]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 14 दिसम्बर, 2010

का का. 139. ं मारतीय चिकित्स, परिषद अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए। केन्द्र सरकार, नारतीय विकित्सा परिषद् के परामर्श, करके सम्बद्ध विश्वविद्यालय के नाम में परिवर्तन के कारण उक्त अभिनियम की प्रेक्स अनुसूची में निम्मितिका और संशोधन करती है, नामत: :--

2. **उक्त अध्यम अनुसूची में "नुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली'' के सामने ''मान्यताप्राप्त चिकित्सा अर्हता'' (जोकि** आरों कॉलम (2) के रूप में संबंधित हैं) के अन्तर्गत अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के बाद शीर्षक "पंजीकरण के लिए संक्षेपण" [जौकि अने कॉलम (3) के रूप में संदर्भित है] के अंतर्गत निम्नलिखित को अन्तर्विष्ट किया जायेगा, नामत: :--

''डिप्लोमा इन डरमेटोलॉजी, वेनेरोलोजी एंड लेप्रोसी''

''डिप्लोमा इन एनेस्थीसिया''

''दिप्लोमा इन चाइल्ड हेल्थ''

''डिप्लोमा इन ओब्सट्रेटिक्स पूँड गायनाकोलोजी''

''डिप्लोमा इन आफ्थलमोलॉजी'

''डिप्लोमा इन ओटो-रिहिनो, लेरिनगोलोजी''

, (3),

डी डी वी एल

(यह शैक्षणिक संत्र 2008 से वर्धमान महाबोर मेडिकल कॉलेज एंड, पी जी इंस्ट्च्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरू गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए, जाने पर मान्यताप्राप्त चिकत्सा अर्हता होगी)।

डी ए

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इस्ट्रिक्यूट) सकदरजंग अस्प्रताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरू मोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा क्र्योकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी)।

ही सी एच

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेहिकल कॉलेज एंड पी जी इंस्ट्रिस्ट्र्यूट, सफदरजंग अस्पताल; नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरू गौविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी)।

डी जी ओ

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इस्टिच्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरू गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर पान्यताप्राप्त चिकित्सा अईता होगी)।

ही ओ

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जो इस्ट्च्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरू गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकत्सा अर्हता होगी)।

डी एल ओ

(यह शैक्षणिक सत्र 2008 से वर्षमान महावीर मैडिकल कॉलेज एंड भी जी इंस्ट्रिच्यूट, सफदरजंग अस्मताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरू गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय,

(3)

"डिप्लोमा इन फिजिकल मेडिसिन एंड रिहेबीलीटेशन"

''मनिस्ट्रार चिरूरगे (प्लास्टिक सर्वरी) ''

'डॉक्टर ऑफ मेडिसिन (एनेस्थीसियोलॉजी)''

'डॉक्टर ऑफ मेडिसिन (जनरल मेडिसिन)''

डॉक्टर ऑफ मेडिसिन (पेडियाटिक्स)"

'डॉक्टर ऑफ मेडिसिन (रेडिबो हायानोसिसे/रेडियोलॉजी)''

दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी) ।

डी पी एम आर

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिच्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अईता होगी)।

एम सी एच (प्लास्टिक सर्जरी)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिच्यूट, सफदरजंग अस्पताल नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियं व संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्रण्य चिकित्सा अईता होगी) ।

एम डी (एनेस्थीसियोलॉजी)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मंडिकल कॉलेज एंड पी जी इंस्टिन्यूट, सफदरजंग अस्पताल. नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय. दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अईता होगी)।

एम डी (जनरल मेडिसिन)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिच्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अईता होगी)।

एम डी (पेडियाट्विस)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिच्यूट, सफदरजंग अस्पताल. नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी)।

एम डी (रेडियो डायगनोसिस/रेडियोलॉजी)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इस्टिच्यूट, सफदरजंग अस्मताल.

(3)

''डॉक्टर ऑफ मेडिसिन (रेडियोधेरैपी)''

''डॉक्टर ऑफ मेडिसिन/मास्टरं ऑफ सर्जरी (आब्सटेटिक्स एंड गायनाकोलॉजी)''

''डॉक्टर ऑफ मेडिसिन/मास्टर ऑफ सर्जरी (ऑफ्यालमोलोजी)''

''मास्टर ऑफ सर्जरी (ई एन टी)''

''मास्टर ऑफ सर्जरी (जनरल सर्जरी)''

''मास्टर ऑफ सर्जरी (आथोंपेडिक्स)''

नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी)।

एम डी (रेडियोथेरैपी)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिब्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यकप्राप्त चिकित्सा अर्हता होगी)।

एम डौ/एम एस (ओ वी जी)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिच्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकत्सा अहंता होगी)।

एम डी/एम एस (ऑफ्थाल्मोलोजी)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिच्यूट, सफदरजग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्धियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकत्सा अईता होगी)।

एम एस (ई एन टी)

(यह रौक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्टिच्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त विकित्सा अर्हता होगी)।

एम एसं (जनरल सर्जरी)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इंस्ट्रिच्यूट, सफदरजंग अस्पताल, नई दिल्ली में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में गुरु गोविन्द सिंह इन्द्रप्रस्थ विश्वविद्यालय, दिल्ली द्वारा स्वीकृत किए जाने पर मान्यताप्राप्त चिकित्सा अर्हता होगी)।

एम एस (आर्थोपेडिक्स)

(यह शैक्षणिक सत्र 2008 से वर्धमान महावीर मेडिकल कॉलेज एंड पी जी इस्टिच्यूट, सफदरजंग अस्पताल,

"Diploma in Ophthalmology"

"Diploma in Oto-Rhino-Laryngology"

"Diploma in Physical Medicine and Rehabilitation"

"Magistrar Chirurgae (Plastic Surgery)"

"Doctor of Medicine (Anaesthesiology)"

(3)

Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

DO

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

DLO

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

DPMR

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

M. Ch (Plastic Surgery)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

MD (Anaesthesiology)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

(2) "Doctor of Medicine (General Medicine)" "Doctorlof Medicine (Paediatrics)" "Doctor of Medicine (Radio-diagnosis/Radiology) "Doctor of Medicine (Radiotherapy 'Doctor of Medicine/Master of Surgery (Obstetrics and Gynaecology)"

'Doctor of Medicine/Master of Surgery (Ophthalmology)"

(3) MD (General Medicine)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute; Safdarjung Hospital, New Delhi from the academic session 2008).

MD (Paediatrics)

(This shall be a recognised medical qualification when granted by Guru-Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

MD (Radiodiagnosis/Radiology)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital. New Delhi from the academic session 2008).

MD (Radiotherapy)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

MD/MS(OBG)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

MD/MS (Ophthalmology)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained

"Master of Surgery (ENT)"

"Master of Surgery (General Surgery)"

"Master of Surgery (Orthopaedics)"

(3)

at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

MS (ENT)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

MS (General Surgery)

(This shall be a recognised medical qualification when granted by Guru. Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

MS (Orthopaedics)

(This shall be a recognised medical qualification when granted by Guru Gobind Singh Indraprastha University, Delhi in respect of students being trained at Vardhman Mahavir Medical College and PG Institute, Safdarjung Hospital, New Delhi from the academic session 2008).

No. U-12012/183/2010-ME (P-II)

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 1 दिसम्बर, 2010

का.आ. 140.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद् से परामर्श करके, उक्त अधिनियम की अनुसूची के भाग 1 में निम्नलिखित संशोधन करती है, नामत: :—

2. महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक द्वारा प्रदान की जा रही दंत चिकित्सा डिग्नियों को मान्यता देने के बारे में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 59 के सामने कॉलम 2 तथा 3 की मौजूद प्रविष्टियों में इसके पश्चात् निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा :—

"XXIII. स्वर्गीय दादा साहेब कालमेघ स्मृति डेंटले महाविद्यालय और अस्पताल, नागपुर

> (i) दंत शल्य चिकित्सा स्नातक (यदि दिनांक 19-6-2010 को या उसके बाद प्रदान की गई)।

बी डी एस, महाराष्ट्र स्वास्थ्य विज्ञान विश्वविद्यालय, नासिक ।''

> [फा. सं. वी.-12017/30/2005-डी ई] अनीता त्रिपाठी, अवर सचिब

New Delhi, the 1st December, 2010

- S.O. 140.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby makes the following amendments in Part-I of the Schedule to the said Act, namely:—
- 2. In the existing entries of columns 2 and 3 against Serial No. 59, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Maharashtra University of Health Sciences, Nashik, the following entries shall be inserted thereunder:—

"XXIII. Swargiya Dadasaheb Kalmegh Smruti Dental College and Hospital, Nagpur

> Bachelor of Dental Surgery (if granted on or after 19-6-2010)

BDS, Maharashtra University of Health Sciences, Nashik."

(F.No.V-12017/30/2005-DE)

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 2 दिसम्बर, 2010

का.आ. 141.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद् से परामर्श करके, उक्त अधिनियम की अनुसूची के भाग 1 में निम्निलिखित संशोधन करती है, नामतः :—

2. दिल्ली विश्वविद्यालय, दिल्ली द्वारा प्रदान की जा रही दंत चिकित्सा डिग्नियों को मान्यता देने के बारे में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में मौलाना आजाद दंत चिकित्सा विज्ञान संस्थान, नई दिल्ली के संबंध में क्रम संख्या 27 के III के सामने कॉलम 2 तथा 3 की मौजूद प्रविध्यों में इसके पश्चात् निम्नलिखित प्रविध्यों को अंतर्विष्ट किया जाएगा :—

''कंजरवेटिव डॉटेस्ट्री एंड इंडोडॉटिक्स (यदि दिनांक 26-5-2010 को या उसके बाद प्रदान की गई) । एम डी एस (कंजरवेटिव डेंटिस्ट्री), दिल्ली विश्वविद्यालय, दिल्ली।''

> [फा. सं. वी.-12017/119/2005-डी ई] अनिता त्रिपाठी, अवर सचिव

New Delhi, the 2nd December, 2010

- S.O. 141.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—
- 2. In the existing entries of columns 2 and 3 against III of Serial No. 27, in respect of Maulana Azad Institute of Dental Sciences, New Delhi, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by the University of Delhi, Delhi, the following entries shall be inserted thereunder:—

"Conservative Dentistry and Endodontics (if granted on or after 26-5-2010)

MDS (Cons. Dent.) University of Delhi,

[F. No. V-12017/119/2005-DE]

ANITA TRIPATHI, Under Secy.

नई दिल्ली, 7 दिसम्बर, 2010

का.आ. 142.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद् से परामर्श करके, उक्त अधिनियम की अनुसूची के भाग । में निम्नलिखित संशिधन करती है, नामतः :—

2. गुजरात विश्वविद्यालय, अहमदाबाद, गुजरात द्वारा प्रदान की जा रही दंत चिकित्सा डिग्नियों को मान्यता देने के बारे में दंत चिकित्सा अभिनयम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 19 के सामने कॉलम 2 तथा 3 की मौजूद प्रविष्टियों में इसके पश्चात् निम्निलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा :—

"IV. दंत चिकित्सा विज्ञान, महाविद्यालय और अनुसंधान केन्द्र, मणिपुर, अहमदाबाद

> देत शरूप चिकित्सा स्नातक (चिद्र दिनांक 10-8-2010 को या उसके बाद प्रदात की गई)

बी की एस, गुजरात विश्वतिकालय, ओक्स्प्याद, गुजरात''

> ्याः संत्रीः । १४४१ ग्रह्मात्रकोऽ सी हैं। असीमानिकारीः सामा सन्तिक

New Delhi, the 7th Detember, 2010

- S.O. 142.—In exercise of the powers conferred by Sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dentist Council of Levil, Novel of Market and Act, namely amendments in Part-I of the Schedule to the said Act, namely
- 2. In the existing entries of columns 2 and 3 against Serial No. 19, in Part-1 of the School and the Bandats Act. 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Gujacat University, A his factor of the following entries shall be inserted these under:—
 - "IV. College of Dental Sciences and Research Centre, Maniput, Ahmedahad

Bachelor of Dental Surgery (if granted on or after 10-8-2010) BES, Gularie th is rank standard, 52% 048 Gujarat."

energy the first senteness of the law

[F.No.V-12017/27/2005-DE] ANITA TRIPATHI, Under Secy.

म**ई** दिल्ली, 7 दिखानर, 2010

का.आ. 143.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की किन्द्र के किन्द्र के किन्द्र के प्रयोग करते हुए, भारतीय दंत चिकित्सा परियद् से अरामश्री करके हुन्द्र क्रिकेट के किन्द्र के नियमिक्ट संशोधन करती है, नामत: >—

"प्रोस्मोडॉटिक्स (यदि दिनांक 11-4-1994) को या उसके बाद प्रदान की गई) । एम.डी.एस. (ब्रोस्पो.), ब्रिजानसमें विकास कारण. अन्तामलाई नगरे ।"

> ्रका सं. वी.-12017/6/2005-डी ई (संह-1)] अनीता त्रिपाठी, अवर सचिव

New Delhi, the 7th December, 2010

- S.O. 143.—In exercise of the powers conferred by Sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dential Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely
- 2. In the existing entries of column? and 3 against Serial No. 24, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Assamplas barryans Assamplas Nagar, the following entries in respect of Rajah Muthiah Dental College and Hospital, Assamplas Nagar, Tamil Neck, shall be inspired thereunder:—

"Prosthodontics (if granted on or after 11-4-1994) MDS (Prostho) Asqueral of Information Annuarrates Negar

IF No. V. 12047/Ay3005-DE (Vol. 1) \
ANITA TRIPATEII, Under Socy

डामोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

('उपभोक्ता यामले विभागें)

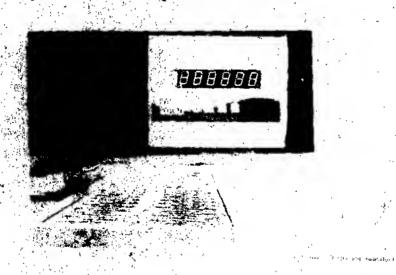
नई दिल्ली, 11 अक्तूबर, 2010

कर अर. 144 के देख सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के प्रश्चात् यह समार्थान हो गया है कि उक्त रिपोर्ट में विक्त महित (नीचे दी गई अकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मौडलों को अनुकार) नियम, 1987 के उपनंधों के अनुकार है और इस बात की संगीवना है कि लगातार प्रयोग की अविध में भी उक्त महित प्रधान काए रखेगा और विकित्स परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अने केन्द्रीय संस्कृति इन्द्र अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए नैसर्स कालगी केन पढ़ कालगी केने कालगी कालगी केने कालगी कालगी

उन्त महिना एक विकृत ग्रेज प्रकार का भार सेल आधारित अस्वचालित तीलन उपकरण (इलेक्ट्रॉनिक चेन्निज) है। इसकी अधिकतम इमित 50 दन है जीर चूनतम जैम्सा 100 कि.प्रा. है। सत्यापन मापमान अंतराल (ई) 5 कि.प्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका इत प्रतिकार क्येक्ट्रान्सक बारिस कार्बियतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 30 विकृत करें अर्थ प्रवासी वार्स विद्युत प्रदाय पर कार्य करता है।

आकृति-1



Mental discretory

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आकृति-३ मॉडल के इंडीकेटर का सीलिंग प्रावधान

किस्पर्ण की बाँडी में से बोलिए वायर निकाल कर डिस्प्रले के पीछे सीलिए की जाती है। डिस्प्रले की बैक प्लेट में बने छिद्र से सीलिए को बोड़ा गया है, बब सील के सबस पूर्व हुए दो छेदों में से सीलिए वायर निकाल कर सील से जोड़ा गया है। मॉडल के सीलिए प्रावधान का स्की बार डायप्राम अपर दिया एवं है।

[फा. सं. डब्ल्यू एम 21(43)/2010]-

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION.

(Department of Consumer Affairs)

New Dethi, the 11th October, 2010-

S.O. 144.—Whereas the Central Government, after considering the report submitted to it by prescribed authority is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to reader accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of modum accuracy (Accuracy Class-III) of series "BEW" and with brand name "B. S. TECH" (hereinafter referred to as the said model), manufactured by M/s Balaji Weighting and Engineering, 85, Bhopa Road; New Mandi, Mujaffar Nagar (UP) and which is assigned the approval mark DED 109/16/22.

The said model is a strain gauge type load cell based non-sulematic weighing instrument (Electronic Weighteridge) with a maximum capacity of 50 tongs and minimum capacity of 100 kg. The verification scale interval (e) is 5kg. It has a term device with a 100 per cast subtractive retained tare effect. The LED Display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

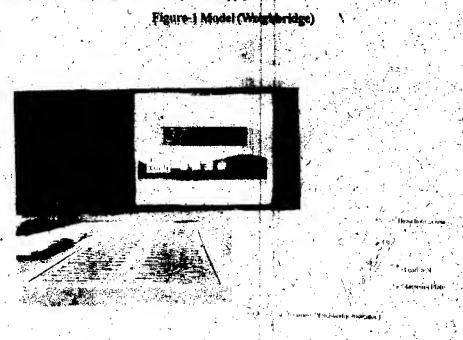


Fig.3-Sealing provision of the indicator of the model

Scaling is done on the back side of the display by passing scaling wire from the body of the display. The scal is connected by hole in back plate of display, then scal wire is passed through these two holes attached with scal. A typical schematic diagram of scaling provision of the model is given above.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and upto 200 tonne with verification scale interval (n) in the range of 500 to 10000 for 'e' value 5g or above and with 'e' value of 1 × 10°, 2 × 10°, or 5 × 10°, where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

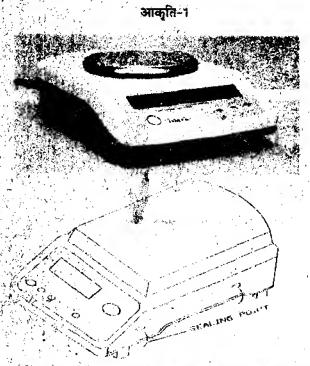
[F. No. WM-21 (43)/2010].
B. N. DIXIT, Director of Legal Metiology.

त्येन क्षित्रिक्षित्रकार अस्ति नई दिल्ली, 9 दिसम्बर, 2010

का आ. 145 — के बीच सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उस रिपोर्ट में किंगित मॉक्स (ती की मई आकृषि देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (महलों का अनुस्तर) विषम, 198 के द्वार्क्स के अनुस्तर है और इस बात की संशावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रक्क और दिए मह सहस्तरकारों में उसपुक्त सेवा प्रदान करता रहेगा;

अतः अहं केन्द्रीयं संस्कृति अधिनियमं की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए मिससं इसक संस्कृत अहं एनं सी अविश्व प्रयोग करते हुए मिससं इसक संस्कृत एनं सी अविश्व प्रयोग करते हुए मिससं इसक संस्कृत अहं एनं सी अविश्व प्रयोधित (यथार्थता (यथार्थता पर्मा) बाले "बाई ए"मुंबाहा के अविक संस्कृत सिंहत अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके खंड का नाम "इसता" है (जिसे इसमें इसके पर्मान केन्न मोहल कहा गया है) और जिसे अनुमोदन चिह्न आई. एन. डी./09/10/111 समनुदेशित किया गया है, अनुमोदन प्रमाण के बारी करती है।

उद्भा महिल एक इलेक्ट्रों के निर्मिक फीर्स कम्पनशेसन सिद्धांत पर आधारित अस्त्रचालित तोलन उपस्र एक है। इसकी अधिकतम क्षमता 2000 ग्रा. है और न्यूनतम क्षमता । ग्री है। सत्यापन मापमान अंतराल (ई) 10 मि. ग्रा. है। इसमें एक आधेक्तुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्रमा धारित आकेक्तुलन प्रमान है। बी. एफ. डी. प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 चोल्ट और 50 हट्ज प्रत्यावर्ती धारा विद्या क्याय पर कही करता है।



अस्ति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्कोल को राहट साइंद में अपर करार और बॉटम प्लेट में बनाए गए छेदों में से सीलिंग वायर निकाल कर सीलिंग की जाती है। मशीन को नपटपूर्ण व्यवहारी से खोल अपि सी सैंकिन के लिए सिलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबढ़ डायग्रम उपराक्त दिया गया है।

और केन्द्रीय सरकार इसके अधिनियम की भारा 36 की उप-भारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उस्त मॉडल के अनुसार और उसी सामग्री से जिससे उसत अनुमोदित मॉडल के अनुसार और उसी सामग्री से जिससे उसत अनुमोदित मॉडल कि तोल के तिल उपकरण भी होंगे जो 1 मि. ग्रा. या इससे अधिक के "है" मान के लिए 50,000 या अधिक के रंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधि कतम अमृता बाले हैं और "है" मान 1 × 10 के, 2 × 10 के, 5 × 10 के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समहुत्य है.।

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[फा. सं. डब्ल्यू एम 21(91)/2010] बी. एन. दीक्षित, निर्देशक, विधिक माप विज्ञान

New Delhi, the 9th December, 2010

S.O. 145.—Whereas the Central Government, after considering the report submaited to it. by presented actionity, is satisfied that the model described in the said report (see the figure given below) is in conformity with the providing of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained and and the render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 35 of this said. Act, the Central Government hereby approves and issues the certificate of approval of the misdel of non-submitted washing instrument (Table top type) with digital indication of special acturacy (Accuracy Class-I) of saids VIA "and with Canada "I.A." and With

The said model is an electro magnetic force compensation principle non-automatic weighing instrument with a maximum capacity of 2000 g. and minimum capacity of 1 g. The verification scale interval (e) is 10 mg. It has a size device with a 100 per cent subtractive retained ture effect. The V.F.D. display indicates the weighing result. The instrument operates on 230 V, 50 Hz alternative current power supply.



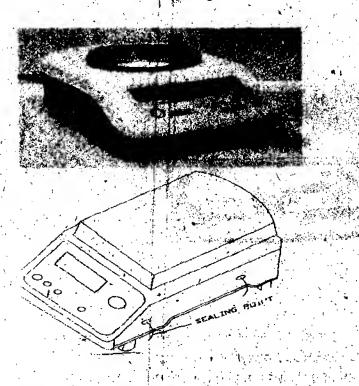


Figure-2: Sealing Provisions

The sealing is done by passing the sealing wire tarting the holes made on the upper cover and tecture place in the right side of the scale. Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. A price schematic diagram of sealing provision of the model is given above.

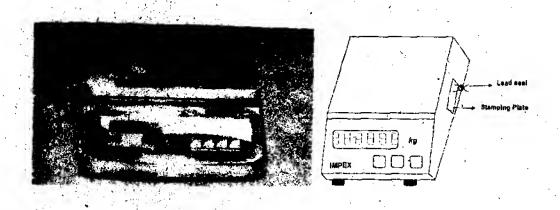
Further, in exercise of the power conferred by Subjection (12) of Section 36 of the said Act, the Central (appearment hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (a) if the range of 50,000 or above for 'e' value of 1 mg or more and with 'e' value of 1 × 10', 2 × 10', or 5 × 10', where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and materials with which, the said approved models as been manufactured.

ं नई दिल्ली, 14 दिसम्बर, 2010

अतः अन कोहीय सरकार, जन्न क्षितिसम् की भरा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स इम्पेक्स कॉरफीरेशन, प्रस. मूं. 7, 4-वी, कहा नार इंडिस्ट्रियल एरिया, कानपुर (उत्तर प्रदेश) द्वारा विनिर्मित उच्च यथार्थता (यथार्थता-11) वाले "आई टी एस" मुंबला के अंकक सूच्य क्रिक्स अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "इम्पेक्स" है (जिसे इसमें इसके परवार टक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/241 समनुदेशित किया गया है, अनुमोदन प्रमाणका आरो करती हैं।

उक्त माँडन एक चिक्ना में क्यार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है । इसकी अधिकतम क्षमता 30 कि. का. और म्यूनाक क्षमता 100 का है । सत्यापन मापमान अंतराल (ई) 2 ग्रा. है । इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिमात न्यवक्रतानामक पारित आमें क्यान है । प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है । उपकरण 230 चोल्ट और 50 इंटर्ज ग्रात्पाकर्ती आव निक्रत प्रदाय पर कार्य करता है ।

आकृति-1



आकृत-2ः सॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

हिस्मले की **बॉडी में से सीखिए कावर निकाल कर** डिस्पले के राइट साइड/बैक साइड में सीलिंग की जाती है। सील के साथ जुड़े हुए **डिस्पले के विस प्लेट और टॉव कावर में बते दी डेवॉ में से सीलिंग** वायर निकाल कर सील से जोड़ा गमा है, मॉडल को सीलबंद करने के उपबंध का एक प्रस्पी योजनावस कावंप्राम उपराक्त दिया गया है।

दगकरण में बाहरी मौलिजेशन तक पहुँच की सुविधा है । बाहरी केलिजेशन तक पहुँच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्थिप मी दिया गया है ।

और केंग्रीय सरकार उस्त अधिनियम की भारा 36 की उपधारा (12) द्वारा प्रदत्त शिक्तवों का प्रयोग करते हुए यह घोषणा करती है कि उस्त मॉडल के अनुसार और उसी सामग्री से जिससे उक्त अनुसार के अनुसार और उसी सामग्री से जिससे उक्त अनुसारित मंडल विभिन्नीय किया गया है, किन्सीत उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। 1 मि. ग्रा. से 50 मि. ग्रा. कह के "ई" मान के लिए 100 से 1,00,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 1,00,000 तक को रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान के लिए 5,000 से 1,00,000 तक को रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1 × 10के, 2 × 10के, 5 × 10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(146)/2010] बी, एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th December, 2010

S.O. 146.—Whereas the Central Government, after considering the report submitted to it by prescribed authority is satisfied that the model described in the said report (see the figure given below) is in conformity with the papelisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy Class-II) of series "ITS" and with brand name "IMPEX" (hereinafter referred to as the said model), manufactured by M/s Impex Corporation, 8, No. 7, 4-13, Onda Nagar Industrial Area, Kanpur (U.P.) and which is assigned the approval mark IND/09/10/241.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



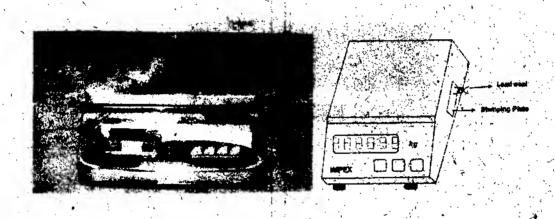


Figure-2: Schematic diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D candonother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5,000 in 1,00,000 for 'e' value of 100 mg or more and with 'e' value of 1 × 10°, 2 × 10°, or 5 × 10°, where k is positive or negative which manufactures or equal to zero manufactured by the same manufacturer in accordance with the same principals, design and with the same materials with which, the said approved model has been manufactured.

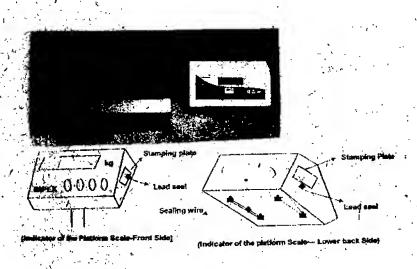
नई दिल्ली, 14 दिसम्बर, 2010

का.आ. 147. जर्मन्द्रीय धरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि हक्त रिपोर्ट में विभिन्न महिल (मीचे दी गई अनुकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मोडलों का अनुमोदन) नियम; 1987 के उपवधी के अनुकृत है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न विरिक्षितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, दश्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शक्तियों को प्रयोग करते हुए मैसर्स इस्पोक्स कहरोतिक, एक नं 7, 4-वी द्वारा नगर इंडिस्ट्रियल एरिया, कानपुर (उत्तर प्रदेश) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता-III) वाले "आई पी एस" मुंद्राका के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "इस्पेक्स" है (जिसे इसमें इसके पश्चात उनके मॉडल कहा गया है) और जिसे अनुमोदन जिह्न आई एन डी/09/10/242 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र आरी करती है।

उन्तर मंद्रित एक विकार ग्रेंब प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमा 150 कि. ग्रा. और न्यूनतम बसत 480 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनहर्मक धारित आभेगदुलन प्रमान है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ज प्रत्याक्ती भाग किद्युत प्रवाय पर कार्य करता है।

आकृति-1



अस्ति 2 अबॅडल को सीलिंग करने का योजनाबद्ध डायग्राम

हिस्महों की संही में हैं है हिन्न कार मिकाल कर डिस्पले के राइट साइड/बैंक साइड में सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पलें के बेस कोट और टॉप कार के को के में से सीलिंग वायर निकाल कर सील को जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्रकर्ण योक कड़ डायग्राम उस्तीका दिया गया है।

, उपनरण में बाहरी केलिबेंसन तक पहुंच की सुविधा है। बाहरी केलिबेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गंबा है।

और केन्द्रीन सरकार उन्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उना मॉडल के अनुमोदन के ब्रह्म प्रमाणक के अतंगित उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल किम्प्रिय किया नाम है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उसके अधिक के हैं? स्वत के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5,000 कि. ग्रा. तक की अधिकतम श्रमत वाले हैं और किंदें मान 1 × 10के, 2 × 10के, 5 × 10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के सम्बुष्ट हैं।

[फा. सं. ढब्ल्यू एम 21(146)/2010] बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th December, 2010

S.O. 147.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy Class-III) of series "IPS" and with brand name "IMPEX" (hereinafter referred to as the said model), manufactured by M/s Impex Corporation, S. No. 7, 4-B, Dada Nagar Industrial Area, Kanpur (U.P.) and which is assigned the approval mark IND/09/10/242.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 150 kg and minimum capacity of 400 g. The verification scale interval (e) is 20 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

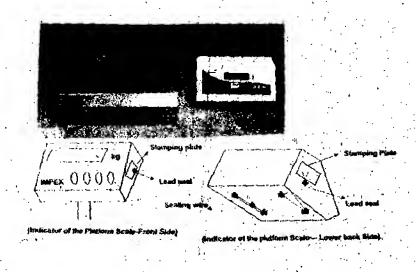


Figure-2: Schematic Diagram of sealing provision of the model

Sealing is done on the right side/back side of the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external colibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g or more and with 'e' value of 1×10^4 , 2×10^4 , or 5×10^4 , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (146)/2010] B. N. DIXIT, Director of Legal Metrology

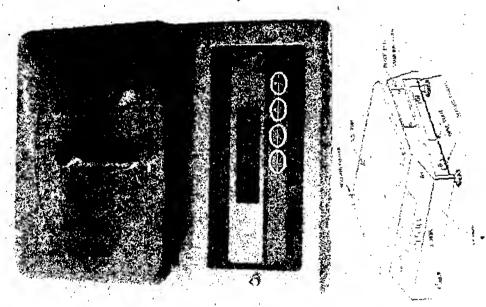
नई दिल्ली, 14 दिसम्बर, 2010

का,आ, 148.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उस्त रिपोर्ट में विजित मॉडल (बीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अविध में भी उक्त मॉडल यथार्थता बनाए रखेगा और विधिन्त परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा शिक्तयों को प्रयोग करते हुए मैसर्स साई इंटरप्राइक्षिण, एस. में. 5, हिमागिरी बैली अपार्टमेंट, एस एम पी मॉडल स्कूल हैदरसाकोट के पास, राजेन्द्रनगर (एम), हैदराबाद-500008 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एस जे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, विक्क ब्रांड का नाम "सिलकॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन की/09/10/460 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उन्हें मॉइल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम अभगत 30 मिट्ना और न्यूनक अभगत 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधियतुलन पुनित है जिसका शा प्रतिशत व्यवक्रशनात्मक धारित आधेयतुलन ग्रमाव है। प्रकाश उत्सर्जक डायोड (एश ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकर 20 बोल्ट और 50 हर्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।





आकृति-2: मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप क्वर में बने दो **छंदों** में से सी**लिंग वायर निकाल कर** सील को जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्रम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धार 36 की उपधार (12) हारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त महल के अनुभादन के इस ग्रमाणपत्र के अंतर्गत उसी विनिर्माता हारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुभादित मॉडल विनिर्माण किया गवा है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यणलन के तोलन उपकरण भी होंगे जो । मि. ग्रा. से 10 मि. ग्रा. तक के "ई" मान के लिए 100 से 1,00,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 1,00,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम समता याले हैं और "ई" मान 1 × 10के, 2 × 10के, 5 × 10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शुन्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21(280)/2010] बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th December, 2010

S.O. 148.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy Class-II) of series "SJ" and with brand name "SILCON" (hereinafter referred to as the said model), manufactured by M/s Sai Enterprises, S. No. 5, Himagiri Valley Apartment, Near SMP Model School Hydershakot, Rajendranagar (M), Hyderabad-500008 and which is assigned the approval mark IND/09/10/460.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 2 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



Figure-1

Figure-2: Schematic Diagram of sealing provision of the model

Scaling is done on the display by passing scaling wire from the body of the display. The scal is connected by whole in base plate and top cover of display, then scal wire is passed through these two holes attached with scal. A typical schematic diagram of scaling provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 1 mg to 50 mg and with verification scale interval (n) in the range of 5,000 to 1,00,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

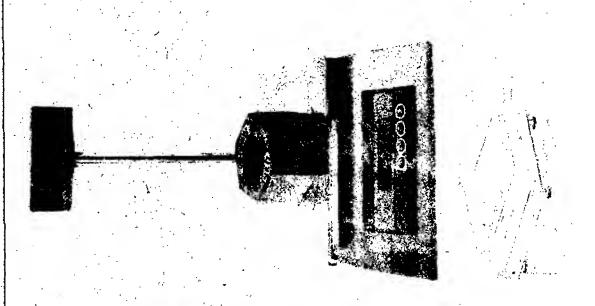
नई दिल्ली 14 दिसम्बर, 2019

का.आ. 149:—केन्द्रीय सरकार का; विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उना रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संधावना है कि लगातार प्रयोग की अधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न पहिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैससं साई इंटरप्राइजिंज, एस.चं. 5, हिमागिरी वैली अंगार्टमेंट, एसएमपी मॉडल स्कूल हैदरसाकोट के पास, राजेन्द्रनगर (एम), हैदराबाद-500008 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-धार) वाले "एसटी "शृंखला के अंकक सूचन सहित अस्वचातित होलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "सिलकॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/461 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेब प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) है। इसकी अधिकतम क्षमा 30 कि.ग्रा: और न्यूनतम क्षमता 100 ग्रा: है। सत्यापन भागमान अंतराल (ई) 5 ग्रा: है। इसमें एक आधियतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 चोल्ट और 50 हर्द्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति 1



आकृति 2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राय

डिस्पले की बॉडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के रूपवंध का एक प्ररूपी योजनाबढ़ डायगाम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिबेशन तक पहुंच की सुविधा है। वाहरी केलिबेशन तक पहुंच को ग्रेकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उन्नव अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शिक्तियों कर प्रयोग करते हुए यह घोषणा करती है कि उन्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उन्त अनुमीदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मिग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1 × 10के, 2 × 10के, 5 × 10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं ।

[फा. सं. डब्ल्यू एम-21(280)/2010] बी.एन. दीक्षत, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th December, 2010

S.O. 149.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy Class-III) of series "ST" and with brand name "SILCON" (hereinafter referred to as the said model), manufactured by M/s. Sai Enterprises, S. No. 5, Himagiri Valley Apartment, Near SMP Model School Hydershakot, Rajendranagar (M), Hyderabad-500008 and which is assigned the approval mark IND/9/10/461.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



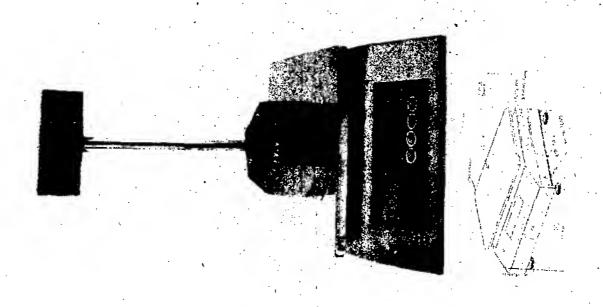


Figure 2: Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole is base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided an A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1 mg to 2g and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (280)/2010]

B.N. DIXIT, Director of Legal Metrology

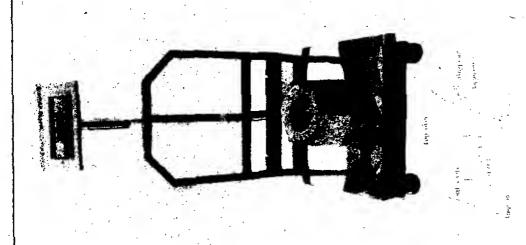
नई दिल्ली 14 दिसम्बर, 2010

का.आ. 150.—केन्द्रीय सरकार का, बिहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आंकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अविध में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स साई इंटरप्राइजिंज, एस.नं. 5, हिमागिरी वैली अपार्टमेंट, एसएमपी मॉडल स्कूल, हैदरसाकोट के पास, राजेन्द्रनगर (एम), हैदराबाद-500008 द्वारा विनिर्मित माध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एसपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) वे मॉडल का, जिसके बांड का नाम "सिलकॉन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/02/10/462 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हट्जे प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्मले की बॉडी में से सीलिंग वायर निकाल कर डिस्मले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्मले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर मिकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपग्रेक्ट दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया अवा है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडन के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत , डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सिहत 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1 × 10के, 2 × 10के, या 5 × 10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या सून्य के समतुला हैं।

[फा. सं. डब्ल्यू एम-21(280)/2010] बी.एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 14th December, 2010

S.O. 150.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy Class-III) of series "SP" and with brand name "SILCON" (hereinafter referred to as the said model), manufactured by M/s Sai Enterprises, S. No. 5, Himagiri Valley Apartment, Near SMP Model School Hydershakot, Rajendranagar (M), Hyderabad-500008 and which is assigned the approval mark IND/09/10/462.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



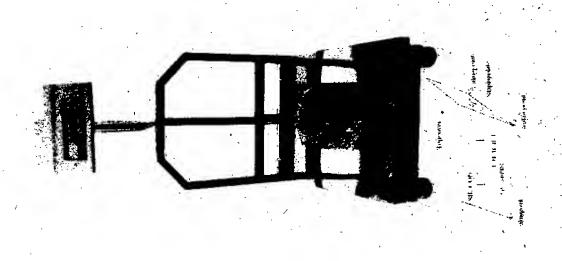


Figure-2: Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole is base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and upto 5,000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (280)/2010] B.N. DIXIT, Director of Legal Metrology

भारतीय मानक ब्यूरो

नई दिल्ली, 22 नवम्बर, 2010

का. आ. 151.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतदद्वारा अधिसृचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं, वे 20 अगस्त, 2010 से रह कर दिये गये हैं।

अनुसूची

क्रम स्थापित भारतीय मानक(कों) भारत के राजपत्र भाग II, टिप्पणी संख्या की संख्या, वर्ष और शीर्षक खंड 3, उप-खंड (ii) में का.आ. संख्या और तिथि प्रकाशित

1 2 3 4

1 आदीरम/आईएसओ 14041 • 1998

आईएस/आईएसओ 14041 : 1998 पर्यावरण प्रबंध-जीवन चक्र मूल्यांकन-लक्ष्य एवं विषय क्षेत्र की परिभाषा तथा सामग्री-सूची विश्लेषण रसायन विभाग परिषद् की पिछली बैठक जो कि 20 अगस्त, 2010 को हुई थी में इस मानक को वापस लेने का फैसला लिया गया था। यह मानक निम्न मानकों द्वारा प्रतिस्थापि किया गया है:

(क) आई एस ओ 14040 : 2006 पर्यावरण प्रबंधन-जीवन चक्र मूल्यांकन-सिद्धांत एवं आधारभूत कार्य

और

(ख) आई एस ओ 14044 : 2006 पर्यावरण प्रबंधन-जीवन चक्र मुल्यांकन-अपेक्षा और दिशा निर्देश

रसायन विभाग परिषद् की पिछली बैठक जो कि 20 अगस्त, 2010 को हुई थी में इस मानक को वापस लेने का फैसला लिया गया,था । यह मानक निम्न मानकों द्वारा प्रतिस्थापित किया गया है:

(क) आई एस ओ 14040 : 2006 पर्यावरण प्रबंधन-जीवन चक्र मूल्यांकन-सिद्धांत एवं आधारमृत कार्य

और

(ख) आई एस ओ 14044 : 2006 पर्यावरण प्रबंधन—जीवन चक्र मुल्यांकन—अपेक्षा और दिशा निर्देश

रसायन विभाग परिषद् की पिछली बैठकं जो कि 20 अगस्त, 2010 को हुई थी में इस मानक को वापस लेने का फैसला लिया गया था । यह मानक निम्न मानकों द्वारा प्रतिस्थापित किया गया है:

(क) आई एस ओ 14040 : 2006 पर्यावरण प्रबंधन-जीवन चक्र मूल्यांकन-सिद्धांत एवं आधारभूत कार्य

और

(ख) आई एस ओ 14044 : 2006 पर्यावरण प्रबंधन—जीवन चक्र मूल्यांकन—अपेक्षा और दिशा निर्देश

आईएसओ 14042 : 2000 पर्यावरण प्रबंधन—जीवन चक्र मूल्यांकन—जीवन चक्र प्रभाव मूल्यांकन

आईएसओ 14043 : 2000 पर्यावरण प्रबंधन--जीवन चक्र मुल्यांकन--जीवन चक्र प्रतिपादन

> [संदर्भ : सीएचडी 34/आईएस/आईएसओ 14041, 14042 और 14043] ई. देवेन्द्र, वैज्ञानिक एफ एवं प्रमुख (रसायन)

BUREAU OF INDIAN STANDARDS

New Delhi, the 22nd November, 2010. //.

S.O. 151.—In pursuance of clause (B) of seb-rule (1) of Kule 7 of the Bureau of Indian Standard Hules, 1987, it is hereby notified that the Indian Standards; particulars of which are mentioned in the Schodule given hereafter, have been cancelled and stand withdrawn w.e.f. 20th August, 2010.

SETTIMENT .

Sl. No. & Year of the Indian S.O. No. & Date	Remarks
No. Standards Cancelled published in the	
Gazette of India.	
Part-II, Section-3,	
Sub-section (if)	
Spymontettey	
(1) (2)	4
1000 · 1	
1. IS/ISO 14041:1998	CHDC at its last meeting held on 20 August, 2010 ha
Environmental Management-	decided to Withdraw IS/ISO 14041: 1998 as the
Life Cyclo Assessment	Standard has been replaced by:
Goal and Scope Definition	(a) ISO 14040: 2006 Environmental Management-
and Inventory Analysis	Life Cycle Assessment-Principles and Frame
	work
1000000000000000000000000000000000000	and
A CONTRACTOR OF THE CONTRACTOR	
and the second of the second o	(b) ISO 14044 : 2006 Environmental Management-
1. [1] [1] [1] [1] [2] [2] [2] [2] [2] [2] [2] [2] [2] [2	Life Cycle Assessment-Requirement an
	Guidelines.
2. IS/ISO 14042 : 2000	CHDC at its last meeting held on 20th August, 2010 ha
Environmental Management-	decided to Withdraw IS/ISO 14041: 1998 as the
Life Cycle Assessment-	Standard has been replaced by:
Life Cycle	(a) ISO 14040: 2006 Environmental Management
Impact Assessment	Life Cycle Assessment-Principles and Frank
The state of the s	work
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	and
Service of the Control of the Contro	(b) ISO 14044: 2006 Environmental Management
The state of the s	Life Cycle Assessment-Requirement and Guide
	lines.
the state of the s	
3. ÍS/ISO 14943 : 2000	CHDC at its last meeting held on 20 August, 2010 ha
Environmental Management	decided to Withdraw IS/ISO 14041: 1998 as this
Life Cycle Assessment-	Standard has been replaced by:
Life Cycle Interpretation	(a) ISO 14040: 2006 Environmental Management
Piro Ploto unterbieration	Life Cycle Assessment-Principles and Frame-
A Branch March 1987 Commence of the	
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	Cycle Assessment-Requirement and Guide-
	A CIC LING CONTINUE - VOCA ME CHICATO CONTINUE C
San Carlotte Committee Com	lines.

[Ref.: CHD 34/15/150 14041, 14042& 14043] E. DEVENDAR, Scientist F. & Heat (Chemical)

नई दिल्ली, 22 नवम्बर, 2010

का. का. 152 - भारतिय समझ ब्यूरों रियम 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूसे शतकुट की सुनिक करते हैं कि कार्य अनुस्र भी में दिये गये मानक (को) में संशोधन किया गया/किये गये हैं :—

अनुस्धी

सं	तम स्थानिक बारा वि मानवा की) की संख्या, इस वर्ष और सीवेक	संशोधन को संख्या और तिथि	स्थापित तिथि
	4 2 rate which there was to	'3	4
	L. आई एमं 4263 - 1967 वर्षोरीन को लिए सुरक्षा संहित	संशोधन संख्या न. 2, अक्तूबर 2010	31 अक्तूबर, 2010
•	2. आई इस 4364 : 1967 की किस सीडा के लिए सुराग्ना सहिता	संशोधन संख्या नं. 1, अक्तूबर 2010	31 अक्तूबर, 2010
	3. आई व्यक् 3083 : 1980 सम्बद्ध की सुरक्षा के लिए विकित्रेश	संशोधन संख्या नं. 1, अक्तूबर 2010	31 अक्तूबर, 2010
	4. बार्ड एवं 134-10 : १९९६ स्थानक क्लोग्रहेड-सुरक्षा सहिता	संशोधन संख्या नं. 2, अक्तूबर 2010	31 अक्तूबर, 2010
. * <u>.</u> *	s आहे एक 13447 : 1992 मि-पॉर्ड्सएनालाइन-सुरक्षा संहिता	संशोधन संख्या नं. 2, अक्तूबर 2010	31 अक्तूबर, 2010

इन सार्वास मानकों की प्रतिस्थ मानक ब्यूरों, मानक भवन, 9, बहादुरशाह जपर मार्ग, नई दिल्ली-110002 क्षेत्रीय कार्यालयों, नई दिल्ली, केलकात, क्यीनक क्षेत्रीय कार्यालयों : अहमदाबाद, बंगलीर, घोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदरबाद, बायम, कार्युर, नाम्बर, स्टेंबर, पूने तथा शिक्य नन्तापुरम में बिक्री हेतु उपलब्ध हैं।

रिगांक : 3 मधांबर, 2010

[संदर्भ : सीएचडी 08/आईएस 4263, आई एस 4264] ई. देवेन्द्र, वैज्ञानिक एफ एवं प्रमुख (रसायन)

New De thi, the 22nd November, 2010

S.O. 152—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards horsely notifies that amendments to the Indian Standards, particulars of which are given in the Schedule horsely amendments to the Indian Standards, particulars of which are given in the Schedule horsely amended have been issued:

SCHEDULE

A CONTRACT OF THE PROPERTY OF		
SL, No. and year of the fadien Standards No.	No. and year of the amendment	Date from which the amendment shall have effect
1 2	3	.4
1. IS 4263 : 1967 Code of Selecty for Chilorine.	Amendment No. 2 October, 2010	31 October, 2010
2. IS 4264: 1967 Code of Safety for Caustic Soda.	Amendment No. 1 October, 2010	31 October, 2010
3. IS 5983: 1980 Specification for Eye-protectors (First Revision)	Amendment No. 1 October, 2010	31 October, 2010
4. IS 13440: 1992 Mathyl Chloride Code of Safety	Amendment No. 2 October, 2010	31 October, 2010
5 IS 13447: 1992 himoeniline Code of Safety.	Amendment No. 2 October, 2010	31 October, 2010

of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafat New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also

Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Chimbatore, Guwahati, I. Iydarabad, Jan ar, Kanar, Hagar.
Patna, Pune, Thiruvananthapuram.

Ref. CHD 178-103 IS 1644

नई दिल्ली, 24 नवम्बर, 2010

का. आ. 153.—भारतीय मानक ब्यूरो नियम 1987 के नियम / को अपनियस (1) के खंड (ख) के अपूर्वरण में कार्यक अपने ब्यूर एतद्द्वारा अधिसुचित करता है कि नीचे अनुसूची में दिये गर्व मानक (को) के संशोधन किया परा/किया नये हैं

अनसर्व

क्रम	संशोधित भारतीय	मानक (कों) की	संख्या,			सरोधन भी संख्य	ं और	-
् संख्या	वर्ष और शोर्षक				10 1	तिम्य 💮		
1		2			C.			
1.	आई एस 8144 : विशिष्टि (पहला		शुष्क बैटरियां-	-		2, अवस्था, 2010	Call Mark	16-11-300

इस भारतीय संशोधन की प्रतियां भारतीय मानक ब्यूरो, मानक भवन 9, बहादुरशाह जफर मार्ग, का किर्लेश 118002 के किर्लेश नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालये : अहमदाबाद, बंगलीट, भोगान, मुक्तेरबर, कोक किर् हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरूवननापुरस में किर्को हेतु उपलब्ध हैं।

> [संदर्भ हैं2] (IV. के 28) आर के बेहन, बैजानिक हैं एवं प्रकृति (बिशुव एक्स) की

New Delhi, the 24th November, 2010

S.O. 153.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

SCHEDULE

Sì.	No. and year of th	e Indian Standa	ards (No. & year of the Date from which in
No.	:			\$ 7.	amendment amendment shall
			,		have effect
	1 -7			 4	The second secon
. 1	. 2				3
- ;	100144 100014		D-44		An at the same
I.	IS 8144: 1997 Mu		Batteries-	 19	2 October, 2010 16-11-2010
	Specification (Firs	t Revision) 🕆			Note that the second of the se

Copy of this Amendment is available with the Bureau of Indian Standards, Manak Bhavan, 9. Behadur Sheh Zefer Marg, New Delhi-I 10 002 and Regional Offices: New Delhi, Kelkata, Chandigarh, Channal, Minches and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Colimbatore, Guwahati, Hyderabad, Jajour, Karpur, Bangar, Patna, Pune and Thiruvananthapuram.

R.K. TREHAN, Scientist E.& Head (Electro-Tournical)

नई दिल्ली, 7 दिसम्बंद, 2010

का. आ. 154.—भारतीय मानक ब्यूसे नियम, 1987 के नियम 7 के उपनिदर्भ (1) के खंद (ख), के अनुसास में स्टूर्सीय सेन्स्क ब्यूरो एतद्दारा अधिकृष्णि करता है कि जिन भारतीय मानक का संशोधन को विकृष्ण नीचे अनुसूची में दिए गए हैं के स्वासित के स्टूर्स

अनुसूची

क्रम स्थापित भारतीय मानक (को) की संख्या, संख्या वर्त्र और शीर्षक	नये भारतीय मान अतिक्रमित भारत अथवा मानकों, हों, की संख्या र	तीय मानक यदि कोई	स्थापितं तिथि
1 23	3		4
 संशोधन संख्या 1 औई एम 4707 (भाग 2) : 2009 सौंदर्य प्रसाधन कच्ची सामग्री और सहायक सामग्री का वर्गीकरण 	कुछ नहीं	:	30 नवम्ब र, 2010
, (साथ 2) कच्ची सामग्री हो कि प्रसाधनों में उपभोग के सिंद उपयुक्त नहीं है (तीसंग्र पुनरीक्षण)		•	

इस बारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, बेजीय कार्यालयों, नई दिल्ली, क्रिक्स, जण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, केयम्बतूर, गुवाहाटी हैदाबाद, अयपुर, कामपुर, वामपुर, वामपु

[संदर्भ : पीसीडी/जी-7 (गजट)]

डॉ. (श्रीमती) विजय मलिक, वैज्ञानिक एफ एवं प्रमुख (पी सी डी)

New Delhi, the 7th December, 2010

S.O. 154.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards Rules that amendments to the Indian Standards, particulars of which is given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

The Market and the second of

SI. No. and year of the Indian Standards No. Established	No. & year of the Indian Standards, if any, superseded by the New Indian Standard	Date of Established
2	3	. 4
Amendment No. 1 to IS 4707 (Part 2): 2009 Classification of Commetics and Raw Materials	None	30th November, 2010
and Adjuncts Part 2 List of raw materials generally not recognized as safe for use in cosmetics (Third Revision)		

Copy of this Amendment is available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi 110 602 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Amethabad Bangarore, Bhopai, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. PCD/G-7 (Gazette)]

Dr. (SMT.) VIJAY MALIK, Scientist F & Head (Electro-Technical)

नई दिल्ली, 15 दिसम्बर, 2010

का, आ, प्रेंडंड, अपरतीय मानक ब्यूरे नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक यूरो एतदुद्वार आध्युषित करती है कि जिने भारतीय मानकों का विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं है

अपूर्वा

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क्रम			क (कों)	की संख्या,	11			तीय पानक द्वारा		7 TX
संख्या	वर्ष और म	रीर्षक		•				मेरा भारतीय माना		hy tok
								मानकों, परि कोई		
:		• • • •					हो, की	संख्या और वर्ष		No.
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į	100		2		70 M	A Company	A St. G.	3		
	300 TO 1	102 2 3	20010.5	रेल् और सम	es Cartes 7			新济扩展 5	2	2010
. 1.							· —	า พ่างสำเรา	Same of the	731
				आएं अनुमार	7 कपह	લાન 🔻	-			
	at Duil.	तें (पहला	र प्राच्येनेक्स्प	1						

इन भारतीय मानकों की प्रतियां भारतीय मानक क्यूरो, मानक भवन, 9, बहादुरसंह जनर भर्म, नई दिस्सी देशाहर केनीक नामिस नई दिस्सी, कोलकता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्बीलमें : अहमदाबाद, बंगलीए जेंसल प्रविक्तिक क्रिकेट कुछाड़ी हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिकवननापुरम में बिक्री हेतु उपलब्ध हैं।

आटके केन केसनिक एक एक प्रमुख (क्रिक्क नक्ष्मिक)

New Delhi, the 15th December, 2010

S.O. 155.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987; the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued:

	SCHOOLE of the distingtion of a behalf of the body found in the and the second of the
Sl. No. and year of the Indian Standards No. Established	No. & year of the Date of Indian Standards, if Established any, supersocied by the New Indian Standard
1 2 ,	
14 IS 302-2-7: 2010 Safety of Household and Similar Electrical Appliances, Part 2 Particular Requirements, Section 7 Domestic Electric Clothes Washing Machines (First Revision)	The second of the second and the sec

Copies of these Standares are available for sale with the Bureau of Indian Standards, Marick Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Changai, Marick Bhavan, and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Gunghati, Hyderasad, Jaipur, Kampur, Nagrur, Pama, Pune and Thiruvananthapuram.

(He) ET 32/T-89

R.K. TREHAN, Scientist F& Head

(Ricetts Technical)

अवनेता है। अन्य **नई पिल्लीहें 16 रिसान्स् 2010** कार्या के कार्यके कर होते हैं है। संबद्धार्थ के लिलेकेक

का. आ. 156.—भारतीय मानक ब्यूग्रे नियम, 1987 में शियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय भारक ब्यूग्रे एतद्द्वार अधिस्थित करता है कि नीचे अनुसूची में दिए गए मानक (कों) में संशोधन किया गया/किये गये हैं :

अनुसूची

क्रम संख्या	संशोषित सार्वाव भागक की संक्रम, वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
; 1	2	3	4
1.	आई बस 10001 : 1981 सामान्य प्रयोगन के लिए समगति सेपीयन दश्य (बीज्ल) इंग्ली (११० किया तक) की कार्यकारित क्षेत्राओं की विद्यानित	संशोधन संख्या 6, नवम्बर 2010	13 दिसम्बर, 2010
. 1. 2 .	आर्ट एस 10002 : 1981 सम्बान प्रक्रीवन के लिए समगति संबोधन क्षत्र (ब्रीम्स) क्षेत्र (अ) किया से अधिक) की कार्यकारिक वरिकार्य की विकार	संशोधन संख्या 2, नवम्बर 2010	10 दिसम्बद, 2010

इन संशोधनों की प्रतियां भारतिय भागक स्यूरों, मानक भवन, 9, बहादुरशाह जफ़र मार्ग, नई दिल्ली-110002 क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकता, क्षेत्रीय के मार्ग, कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, केयम्बतूर, गुवाहाटी; हैदराबाद, क्षेत्रपुर, कार्युर, कार

[संदर्भ : टी ई डी/जी-16]

टी. वी. सिंह, वैज्ञानिक एफ एवं प्रमुख (टी ई डी)

New Delhi, the 16th December, 2010

S.O. 156—in pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hearthy notifies that the amendments to the Indian Standards, particulars of which are given in the Schedule hearth amendments to the Indian Standards, particulars of which are given in the Schedule hearth amendments to the Indian Standards.

SCHEDULE

			<u> </u>
SI. No.	No., year and title of the sevended Indian Standards	No. & year of the amendment	Date from which the amendment shall have effect
,		- 0	<u> </u>
in 1:	2	3	4
1.	IS 10001: 1981 Specification for Performance Requirements for Constant Speed Compression Ignition (Diesel) Engine for General Purposes (Upto 20 kW)	Amendment No. 6, November 2010.	13 December, 2010
2	IS 10002: 1981 Specification for Performance Requirements for Constant Speed Compression Ignition (Disest) Engine for General Purposes (Above 20 kW)	Amendment No. 2, November 2010	10 December, 2010

Copies of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patas, Pune and Thirovananthapuram.

[Ref. TED/G-16]

T.V. SINGH, Scientist F & Head (Transport Engg.)

नई दिल्ली, 22 दिसम्बर, 2010

का. आ. 157.—भारतीय मानक ब्यूरो नियम 1987 के बियम 7 के डप-नियम (1) के ब्राह्म के अनुसार की संस्थित करता है कि नीचे अनुसूची में दिये गये म्हनकों में संशोधन किया गया है :

अनुसूची

क्रम सं डय ा	संशोधित पारतीय मानक और वर्ष	की संख्या		संस्थाननं की सिम्ब	How alk	THE REPORT OF THE PERSON OF TH
1	2	· ·		3	1	
1.	2386 (माम 1) : 1963			4 दिसम्ब	7, 2010	31 Mark , 2 010

इन संशोधनों की प्रतियां भारतीय मानक क्यूरो, मानक भवन, 9, कहादुरशाह खकर मार्ग, नई किस्सी—110002, क्रेनिक क्यूरो, दिल्ली, क्रोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शास्त्रा कार्यालयों : अर्धनदाबाद, बंगलौर, चोपाल, पुक्नेटवर, क्रोबच्यूर, गुजावती, क्रेबेच्यूर, जयपुर, कानपुर, नागपुर, प्टना, पूंणे तथा तिरूवनन्तापुरम में विक्की हेंतु इपलब्ध हैं ।

्संदर्भः सीवीतिका एक मान्यस्था (सिविका स्वीतिकास्था

Now Delhi, the 22nd December, 2010

S.O. 157.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standard, particulars of which are the Bureau of Indian Standard, particulars of which are the Schedule hereto annexed have been issued:

SCHEDULE

SI.	No. and year of the	amended Indian S	tandard	No. & year of the	Dete from which the
No.			5	amendment	amondment shall
					have affect.
1	2	6.		3	
i. S	2386 (Part 1): 1963			4 December, 2010	31 (304m) 2010

Copies of the amendment are available for sale with the Bureau of Indian Standards, Manual Bhavan, 7, Bahadar Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandgarh, Changa, Manual and Alexandro Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Chimbetere, Guwahati, Viyderabad, Impir, Kanasa, Mightir, Patna, Pune and Thiruvananthapuram.

[Ref. CEDA Sement]
A.K. SAINI, Scientist 'F' & Heed (Civil Bags.)

नई दिल्ली; 3 जनवरीं; 2011

वत. आ. 158.—भारतीय मानक ब्यूरो पिबम 1987 के नियम 7 वो उप-निवम (1) के बाँड (क) के अनुकारक में अस्तीय वार्क ब्यूरो एतद द्वारा अधिसुचित करता है कि जिस भारतीय मानक का विवरण अनुसूची में दिया गया है वह स्वाधित हो लेंह हैं

अनुसूची

के किया विकास	स्थापित भारतीय मानक (की) की संख्या, वर्ष और शीर्षक	 नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
1		 3	4
1.	एस.मी 72 : 2010 सन्द्रीय प्रकास संहिता 2010	 	30 अप्रैल, 2010

इस मासीय मानक की प्रतिया भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफ़र मार्ग, नई दिल्ली-110002, क्षेत्रीय कायालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, भुवाहाटी, हैदराबाह, बायुर, कानपुर, जासपुर, पटना, पूणे तथा तिरूवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

(संदर्भ : ईटी 24/पी 1) आर. के. त्रेहन, वैज्ञानिक 'एफ' व प्रमुख (विद्युत तकनीकी)

New Delhi, the 3rd January, 2011

S.D. 158.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued

SCHEDULE

_	SL No.	No. and year of the Indian Standard Established	•	No, & year of the Indian Standards, if	Date of Established
	· · .	Control of the Contro		any, Superseded by the New Indian Standard	
	1	2		3	4
1	./l.	SP 72: 2010 National Lighting Gode 2010		· _ · _ ·	30 April, 2010

Copies of this code is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9. Bahadur Shah Lafar Marg, new Delhi; 110602 and Regional Offices: New Delhi; Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedahad, Bangalbre, Bhopal; Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapurani.

[Ref. ET 24/P1]

R.K. TREHAN, Scientist 'F' & Head (Electro-technical)

नई दिल्ली, 4 जनवरी, 2011:

कार आ, 159: भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो-एतदद्वारा अधिसचित करित है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए है वे स्थापित हो गए हैं:

अनुसुधी

क्रम संख्या		मानक(कॉ) व	ी संख्या,		अतिक्रिमित व	मानक द्वारा नारतीय मानक जों, यदि कोई गा और वर्ष	स्थापित तिथि
1	2 .			* /	3	\ \ \	4
	आईएस/आईएसओ संतुलन गुणता की			-दृढ़ रोटरों की			28 फरवरी, 2010

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरों, मानक भवन, 9, बहादुरशाह जपर मार्ग; नई दिल्ली-110002 क्षेत्रीय कार्यालयों । नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, युम्बई तथा शाखा कार्यालयों । अहमदाबाद, बंगलौर, मोपाल, मुवनेश्वर, कोमण्यतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरूवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

तेता तैनानिक 'एफ' व प्रमुख (यादिक इंजीनियरिंग)

New Delhi, the 4th January, 2011

S.O. 159.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. and year	of the Indian S	tandards Establi	ished	No. & year of the Indian Standards, if any, Superseded by the New Indian	Date of Established
	·. :		, *		Standard	* · · · · · · · · · · · · · · · · · · ·
i	. 2				3	4: ***
-	- 1		ical Vibration-B art 2 Balance eri	•	-	28 Februáry, 2010

Copies of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

[Ref. MED/G-2:1]

C.K. VEDA, Scientist 'F' & Head (Mochanical Engineering)

कोयला मंत्रालय

नई दिल्ली; 10 **जनव**री, 2011

का. आ. 160.—केन्द्रीय सरकार को यह प्रतीत होता है, कि इससे उपाबद्ध अनुसूची में उल्लेखित परिक्षेत्र की भूमि में से कोयला अभिग्राप्त किए जाने की संभावना है; अतः, अब, इस अधिसूचना के अंतर्गत आने वाले रेखांक संख्या सी-1(ई)III/जीआर/830-0510, तारीख 25 मई, 2010, उक्त अनुसूची में कर्णित भूमि का क्षेत्र के ब्यौरे दिए गए हैं, निरीक्षण, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल इस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में या मुख्य महाप्रबंधक (एक्सप्लोरेशन प्रभाग), केन्द्रीय खान योजना एवं डिजाइन संस्थान, गोंडवाना पेलेस कांके रोड, रांची-834 001 के कार्यालय में या कोयला नियंत्रक, 1 कार्डासल हाउस स्ट्रीट, कोलकाता-700 001 के कार्यालय में या जिला कलेक्टर, छिदबाड़ा-480 001 (मध्य प्रदेश) के कार्यालय में किया जा सकता है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की थाएा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अनुसूची में वर्णित भूमि में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है ;

उक्त अनुसूची में विहित मूमि में हितबद्ध कोई व्यक्ति-

- (i) संपूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उसके ऊपर किसी अधिकार के अर्जन पर आक्षेप, या
- (ii) भूमि या ऐसी भूमि पर कोई अधिकार के प्रतिकर के हित के यदि कोई दावा, या
- (iii) खनन पट्टा अर्ज़न करने के अधीन अधिकारों की पूर्वेक्षण अनुज्ञप्ति प्रभावहीन हो जाने और भूमि संबंधी सभी नक्शे, चार्टो तथा अन्य दस्ताक्षेजों का परिदान, अयस्कों या अन्य खनिज के नमूनों का संग्रहण और उनका सम्यक् विश्लेषण करने के लिए तथा उक्त अधिनियम की धारा 13 को उपधारा (7) में निर्दिष्ट कोई अन्य कलावधि अभिलेखों या सामग्रियों की तैयारी के लिए प्रतिकर ।

इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिनों के भीतर, मुख्य महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, पेंच क्षेत्र, पोस्ट परासिया, तहसील क्लिंदबादा (मध्य प्रदेश) या महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, भूमि और राजस्व विभाग, कोल इस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) को भेजेगी ।

अनुसूची-'क' धनकासा अंडरग्राऊंड माइन येंच क्षेत्र

जिला-छिन्दवाड़ा (मध्य प्रदेश) [रेखांक संख्यांक सी-1(ई)!II/जीआर/830-0510, तारीख 25 मई, 2010]

r.ti.	ग्राम का नाम	पटेवा	री सकिल संख्या	तहसील	जिला	क्षेत्रफल (हेक्टर में)	टिप्पणियां
1.	2		3	4	5	6	7
f.	बांकी	7	89	अमरवाड़ा	छिन्दवा ड़ा	3.008	भाग
2	पायली		29	परासिया	छिन्दवाडा	55.416	भाग
3.	बेहरिया		′ 89	अमरवाङ्ग	छिन्द वा ड़ा	121.956	भाग
4.	सेजवाड़ा खुर्द	· · · · · · · · · · · · · · · · · · ·	` <u>8</u> 1	अमरवाङ्ग	छिन्दवा डा	32-326	भाग

कुल क्षेत्र : 212.706 हेक्टर (लगभग) या 525.618 एकड़ (लगभग)

अनसची-'ख'

क्र.सं.	म्राम का नाम	कम्पार्टमेंट संख्या	ब्लॉक संख्या	तहसील	जिला	क्षेत्रफल (हेक्टर में)	टिप्पणिया
1	2	3	4	. 5	6	.7	8
1.	नेष्ट्रिया आरक्षित वन, परासिया रेंज	736	41	परासिया	छिन्दवाडा	6.544	भाग
2.	~वहो − ,	737	41	<u> </u>	छिन्दवाडा	25.120	भाग

1	2	3	4	5.	6	7	8
3.	नेहरिया आरक्षित वन, परासिया रेंज	738	41	परासिया	छिन्दवाड़ा	67.615	भाग
4.	–वही –	739 -	41	पर्यसिया	छिन्दवाड़ा	208.485	भाग
5.	_aह1	740	41	पर्वसिया	छिन्दवाडा	32.383	भाग

कुल क्षेत्र : 340.147 हेक्टर (लगभग)

या 840,537 **एकड् (लगभ**ग)

अनुसूघी-'क'	+	अनुसूची-'ख'	= ,	कुल क्षेत्र
212.706	+	340.147	· =	552.853 हेक्टर (लंगभग)
525.618	+ •	840.537	=	1366.15 एकड् (लगभग)

सीमा वर्णन :

रेखा बिन्दु "क" ग्राम बेहरिया और वन कम्मार्टमेंट संख्या 7,40 की सम्मिलित सीमा से आरंभ होती है और वत 'क'-'ख' कम्पार्टमेंट संख्या 740 से होकर गुजरती है तथा वन कम्पार्टमेंट संख्या 740 और ग्राम जमुनिया की सिम्मिलित सीमा पर बिन्दु "ख" पर मिलती है।

'ख'-'ग' े रेखा वन कम्पार्टमेंट संख्या 740 और ग्राम जमुनिया की सम्मिलित सीमा से लेकर गुजरती है तथा वन कम्पार्टमेंट संख्या 739 और ग्राम जमुनिया से गुजरती हैं फिर ग्राम जमुनिया और ग्राम पायली की सिम्मिलित सीमा पर बिन्दु "ग" पर मिलती है ।

> रेखा ग्राम पायलीं से होकर गुजरती है तथा ग्राम पायली और वन कम्पार्टमेंट संख्या 736 की सम्मिलत सीमा पर बिन्दु "घ" पर मिलती है ।

> रेखा वन कम्पार्टमेंट संख्या 736 से होकर गुजरती है और वन कम्पार्टमेंट संख्या 736 और कम्पार्टमेंट संख्या 737 की सम्मिलित सीमा पर बिन्दु "ड़" पर मिलती है ।

> रेखा वन कम्पार्टमेंट संख्या 737 से होकर गुजरती है तथा वन कम्पार्टमेंट संख्या 737 तथा 738 की सम्मिलित सीमा पर बिन्दु "च" पर मिलती है ।

> रेखा वन कम्पार्टमेंट संख्या 738 से होकर गुज़रती है तथा वन कप्पार्टमेंट संख्या 738 और ग्राम सेजवाड़ा खुर्द की सम्मिलित सीमा पर बिन्दु "छ" पर मिलती है।

> रेखा ग्राम सेजवाड़ा खुर्द से होकर गुजरती है तथा ग्राम सेजवाड़ा खुर्द और वन कम्पार्टमेंट संख्या 738 की सम्मिलित सीमा पर बिन्दु "ज" पर मिलती है।

> रेखा वन कम्पार्टमेंट संख्या 738 से होकर गुजरती है तथा वन कम्पार्टमेंट संख्या 738 और 739 की सम्मिलित सीमा पर बिन्दु "झ" पर मिलती है ।

> रेखा वन कम्पार्टमेंट संख्या 739 से होकर गुजरती है तथा वन कम्पार्टमेंट संख्या 739 और ग्राम बेहरिया की सम्मिलित सीमा पर बिन्दु "अ" पर मिलती है ।

> रेखा ग्राम बेहरिया से होकर गुजरती है तथा ग्राम बेहरिया और ग्राम बांकी की सीमा को पार करती है और फिर ग्राम बांकी से होकंर गुजरती है तथा ग्राम बांकी और ग्राम बेहरिया को सम्मिलित सीमा पर बिन्दु "ट" पर मिलती

रेखा ग्राम बेहरिया से होकर गुजरती है और बिन्दु "ठ"-"ड"-"ढ"-"ण" के पास से गुजरते हुए ग्राम बेहरिया 'ਣ'-'ਠ'-'ਙ'-'ಹ'-'ण'-'त' और वन कम्पार्टमेंट संख्या 740 की सम्मिलिक सीमा पर बिन्दु "त" पर मिलती है ।

> रेखा वन कम्पार्टमेंट संख्या 740 से होकर गुजरती है और बिन्दु "थ" के पास से नुजरते हुए वन कम्पार्टमेंट संख्या 740 तथा ग्राम बेहरिया की सम्मिलित सीमा बर बिन्दु "द" पर मिलतो है ।

'घ'-'ड'

'ड'-'च'

'ਚ'-'ਲ'

' छ'-' ज' .

'ज'-'झ'

'ॹ'-'ञ'

'ਕ'-'ਟ'

'त'-'घ'-'**द**'

र!-'थ'-'न'-'क

रे<mark>खा ग्राम बेहरिया से होकर गुजरती है और बिन्दु "ध" तथा "न" के पास से गुजरती है तथा आर्रीभक बिन्दु</mark> "क" पर मिलती है ।

> [फा. सं. 43015/12/2010-पीआरआई डब्ल्यू-1] एस.सी.भाटिया, निदेशक

MINISTRY OF COAL

New Delhi, the 10th January, 2011

S.O. 160.—Whereas, it appears to the Central Government that Coal is likely to be obtained from the lands in the locality mentioned in the Schedule annexed hereto;

And whereas, the Plan bearing number C-1(E)III/GR/830-0510, dated the 25th May, 2010 containing of the areas of land described in the said Schedules may be inspected at the office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) or at the office of the Chief General Manager (Exploration Division). Central Mine Planning and Design Institute, Gondwana Palace, Kanke Road, Ranchi-834 001 or at the office of the Coal Controller, 1, Council House Street, Kolkata-700 001 or at the office of the District Collector, Chhindwara-480 001 (Madhya Pradesh);

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein;

Any persons interested in the land described in the said Schedules may -

- (i) Object to the acquisition of the whole or any part of the land, or of any rights in or over such land, or
- (ii) claim an interest in compensation if the land or any rights in or over such land, or
- (iii) seek compensation for prospecting licences ceasing to have effect, rights under mining leases being acquired, and deliver all maps, charts and other documents relating to the land, collection from the land of cores or other mineral samples and due analysis thereof and the preparation of any other relevant record or materials referred to in Sub-section (7) of Section 13 of the said Act.

to the Office of the General Manager, Western Coalfields Limited, Pench Area, Post Parasia, Tahsii Parasia, District Chhindwara (Madhya Pradesh) or General Manager, Western Coalfields Limited, Land and Revenue Department, Coal Estate, Civil Lines, Nagpur-400 001 (Maharashtra) within ninety days from the date of publication of this notification in the Official Gazette.

SCHEDULE-'A'

DHANKASA UNDERGROUND MINE PENCH AREA DISTRICT CHHINDWARA (MADHYA PRADESH)

[Plan bearing number C-1(E)III/GR/830-0510, dated the 25th May, 2010]

.N		Patwari Circ Number	le Tahsil	District	Area (In hectare	Remarks s)
	1 2	-3.	4	5	6	7
	Bankee	89	Amarwará	Chhindwara	3.008	Part
1	. Paylee	29	Parasia	Chhindwara	55.416	Part
	Beheria	89	Amarwara	Chhindwara	121.956	Part
2	Sejwara Khurd	81	' Amarwara	Chhindwara	32.326	Part

Total area: 212.706 hectares (approximately)

or 525.618 acres (approximately)

'B'-'C'

'D'-'E'

'E'-'F'

'F'-'G'

'G'-'H'

'H'-'I'

T'-T'

'J'-'K'

P'-'O'-'R'

SCHEDULE—'B'

SI. No:	Name of Village	Compartmer Number	nt Block Number	Tahsil	District	Area (In-hectares)	Remarks
l	2	3	4.	5	6	7	.8
1.	Neharia Reserve Forest, Parasia Range	736	41	Parasia	Chhindwara	6.544	Part
2.	-do-	737	41	Parasia	Chhindwara	25,120	Part
-3.	-do-	738	41	Parasia	Chhindwara	67.615	Part
4.	-do-	739	. 41	Parasia	Chhindwara	208.485	Part
5.	-do-	740	41 i	Parasia	Chhindwara	32,383	Part

Total area: 340.147 hectares (approximately)

pproximately)

					or 840.537 acres (approximately)
Schedule-'A'	,+	Schedule - 'B'		<u>=</u>	Total Area	
212.706	, +	340.147		=	552.853 hectares (approximately)	The second second
525.618	+	840.537	•	=	1366.15 acres (approximately)	
Boundary descrip	tioń :		• 5			
'A'-'B'	B	eheria then pas	ses throu	gh F	common boundary of Forest Compa orest Compartment Number 740 a impartment Number 740 and village	and meets at Point 'B' on the

Line passes along the common boundary of Forest Compartment Number 740 and village Jamunia, then Forest Compartment Number 739 and village Jamunia and meets at Point 'C' on common boundary of village Jamunia and village Paylee.

'C'-'D' Line passes through village Paylee and meets at Point 'D' on common boundary of village Paylee and Forest Compartment Number 736.

> Line passes through Forest Compartment Number 736 and meets at Point 'E' on common boundary of Forest Compartment Number 736 and Compartment Number 737.

Line passes through Forest Compartment Number 737 and meets at point 'F' on common boundary of Forest Compartment Number 737 and Compartment Number 738.

Line passes through Forest Compartment Number 738 and meets at Point 'G' on common boundary of Forest Compartment Number 738 and village Sejwara Khurd.

Line passes through village Sejwara Khurd and meets at Point 'H' on common boundary of village Sejwara Khurd and Forest Compartment Number 738.

Line passes through Forest Compartment Number 738 then meets at Point '1' on common boundary of Forest Compartment Numbers 738 and 739.

Line passes through Forest Compartment Number 739 then meets at Point 'J' on common boundary of Forest Compartment Number 739 and village Beheria.

Line passes through village Beheria then crosses common boundary of village Beheria and village Bankee then passes through village Bankee and meets at Point 'K' of common boundar of villages Bankee and Beheria.

'K'-'L'-'M'-'N'-'O'-'P' Line passes through village Beheria and passes nearby Point 'L'-'M'-'N'-'O' and meets at point 'P' on common boundary of village Beheraia and Forest Compartment Number 740.

> Line passes through Forest Compartment Number 740 and passes nearby Point 'Q' and meets at Point 'R' on common boundary of Forest Compartment Number 740 and village Beheria.

Line passes through village Beheria and passes nearby point 'S' and 'T' and meets at starting 'R'-'S'-'T'-'A' Point 'A'.

> FF. No. 43015/12/2010-PRIW-11 S.C. BHATIA, Director

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 10 जनवरी, 2011

का. आ. 161.— भारत सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनयम, 1962 (1962 का 50) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का आ. 1450, तारीख 04 जूर, 2010 हारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, भैसर्स रिलाएंस इन्डस्ट्रीज लिमिटेड के आन्ध प्रवेश में पूर्वी तट पर ऑनशोर टर्मिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मेर्स रिलोजिटिक्स इन्फ्रास्ट्रक्यर लिमिटेड हारा काकीनाडा- वासुदेवपुर-हावडा गैस पाइपलाइन विछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आश्रंय की घोपणा की थी;

और, उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 12 3 4 तूचर 2010 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं ;

और, पाइपलाइन विछाने के सम्बन्ध के, जनता की ओर से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और अननुज्नात कर दिया गया;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है ;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन विकाने के लिए अपेकित हैं, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चिय किया है ;

अत:, अव, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोपणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिप्ट भूमि में पाइपलाइन विछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सेरकार, उक्त अधिनियमें, की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के वजाए, सभी विल्लंगमों से गुक्त, मैसर्स रिक्रोजिस्टिक्स इन्फ्रास्ट्रकचर लिमिटेड में निहित होगा।

अनुसूची

पंडल/	तेहिसल/ तालुक : अनकापिलल 📜	जिला क्षेत्रशाखापद्नम	राज्य ३आ	न्ध्र प्रदेश	1
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		168/12वी	00	00	43
		168/12सी	00	01	37
		168/14	00	01	95
		168/15ah	00	03	58

[414 II — 416 2(II)]	भारत का राजपत्र : जातन्त्र 15, 2011/वाच 25, 193	<u> </u>		163
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3) वेटाजंगलापालेगं (निरंतर).	36/12	00	05	13
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	94/27	00	00	10
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	94/28	. 00	00	31
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	23/6	. 00	01	29
	23/8	00	05	31
	23/9	00	07	75
	23/10	00	03	35
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	416/1	00	06	35
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	451/67	. •	00	00	60
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-00	450		- 100	23	89
	453/31		00	05	29
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453/2		00	01	51
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495/1		60	63	55
495/2		. 00	02	83
467/1		00	09	30
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4) सीतानगरम (निरंतर)	481/29	00	01	94
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5) तुम्मापाला	359/2	00	48	41
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		334/13		00	13	53 .
		334/23		00	14	25
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		313/4		00	00	10
		313/5	•	00	19	32
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		313/8		00	03	28
	•	313/9		00	. 02	74
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٠		313/12		00	00	22
		313/13		00	06	48
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फा सं. एल.-14014/55/2009-जी.पी.] के .के .शर्मा, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 10th January, 2011

Natural Gas number S.O. 1450 dated 04th June, 2010, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying Kakinada-Basudebpur-Howrah gas pipeline for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited by M/s Religistics Infrastructure Limited to the consumers in various parts of the country;

And whereas, the conject of the said Gazette notification were made available to the public on or before 12th 5 closer, 2010;

And whereas, the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas, the Company Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India;

And whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said. Act, Government of India hereby directs that the Right of User in the said had for laying the pipeline shall, instead of vesting in Government of India, vest on the date of publication of the declaration, in M/s Relogistics Infrastructure Limited, free from all encumbrances.

Schedule

Mandal/Tehsil/Teluk:Anakapalil	District: Visakhapatnam	m State (MORRA READS)M				
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394	THE	THE GAZETTE OF INDIA: JANUARY 15, 2011/PAUSA 25, 1932						[Part II—Sec. 3(ii)]			
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396	THE	GAZETTE OF IN	DIA : JANUA	RY 15, 2011/PAUSA	25, 1932	[Per	rt II—Sec. 3(ii)]
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[भाग II—खण्ड 3(ii)]	कर् राजपत्र ; अनवरी	s 20)।/पीप 23,	1932		
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[पाम []—साव्ह 3(ii)]	भारत का एकान :	लम्बी 5	2011/dm 25, 1932			
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[माग 11—खन्द 3(ii)]	भारत का राज्यक : क	नवर्ष 15, 2011/वैन	19, 1992		
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न्हं दिल्ली, 10 जनवरी, 2011

का. आ. 162.—भारत सरकार को लोकहित में का आध्यक प्रतीत होता है कि तिलकहु में तिलका के आप विजयवाड़ा-नैस्लोर-चैन्नई पाइपलाइन के टर्मिनल प्याइंट से देश के विभिन्न हिस्सों में उपभौजात में समूरिक नैस के प्रीर्यक्त के लिए मैसर्स रिलोजिसटिक्स इन्फ्रोस्ट्रक्चर लिनिटेड द्वारा चैनाई-चंगलीर-मंगलीर पाइपलाइन विकार जाती प्राहिए;

और, भारत सरकार को उक्त पाइपलाइन विखने के प्रयोजन के लिए वह आवश्यक प्रतित के कि उस पूर्ण में, विश्व की एक उक्त पाइपलाइन विखाई जाने का प्रस्ताव है और जो इस अधिसूर्वना से उपावक अनुसूची में विनित है, उपनीन के अधिकार का अर्जन किया जाए;

अतः, अव, भारत सरकार, पेट्रोलियम और खनिज पड्णलाइन (भूमि में उपयोग के अधिकार का अर्थन) अधिकार के (1962 का 50) की धारा 3 की उपयारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्थन करने के अपने अथ्रय की योगणा करती है;

कोई व्यक्तित, जो उक्त अनुसूची में वर्णित भूमि में हितवह है, उस बारिए से जिसको उन्तर अधिनियम की बारा है की उपवार है। के अधीन जारी की गई अधिसूचना की प्रतियां साँधारण जनता को प्रवस्ता करा दी जाती है, इनकीस दिन के बीतर अधि के नियं की बीतर अधिकार के अधीन के संबंध में आ के नविनाय, संबन प्रविधारित रिलोजिसटिक्स इनकास्ट्रक्बर लिमिटेड, 74, दूसरी मंजिल, प्रेरहीत बीतेज, को नियं हों से के समीतर के उपविधार के कि बीतर के स्वाधित की स्वधित की स्वाधित की स्वधित की स्वाधित की स्वाधि

अनुसूची

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फा से एल-14014/115/2010 वी.पी.]

के के रामा अवर समिव

New Delhi, the 10th January, 2011

S.O. 162.— Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from terminal point of Vijayawada-Nellore-Chennai pipeline near Tiruttani in Tamij Nadu to consumers in various parts of the country, Chennai - Bangalore - Mangalore pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to K. Mallingth, Competent Authority, Relogistics Infrastructure Limited, No.74, 2nd Floor, Prestige Feroze, Cunningham Road, Bargalore 560032, Karnataka State.

Schedule

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	ो जिल्ला है के अपने कार्य के दें गी का करने हैं।	83	. 00 .	. 00	18
٠.'		91	. 00	38	17
		90	00	00	22
	The state of the s	Nala between Sy No. 91 & 109	00	09	
,	Line was in the More to	109	. 00	21	
	The state of the s	110	. 00	00	
		108	00	06	21
,	A Santa W. Barrey L.	107	00	26	**
	4 3 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	106	00	02	
		111	00	20	
		105	00	31	24
`		Nala between Sy.No. 105 & 131	- 00	13	73
		131	. 00	47	73.
		126	00	37	84
		Road between Sy.No. 126 & 125	00 -	09	21
	一一一一一一个一个一个一个	125	. 00	08	77

[भग॥—खन्दः				, 2011/An 25, 1	3	and the same	1
Manjenshalli Kava	1	110	2		00	743	79
Manjeanhalli Kava	(Comm) .	118			00	65	82
		137				01	55
		140			00 00	41	
-		7 · · 141			00	44	06 . 13
	· .:	148	17.5			•	47
		158			60	06	
•		159			00	53	53
	• •	164	1. 网络龙		-00	49	92
	•	175			00	52	59
•	•	180		Section 1	00	- 51,	24
		185		•	00.	53	47
	• : •	190			90	50	64
		195			00	50	76
	• •	196			90	51	67
		200			00	38	66
	-	199			00	* - H - *	09
<u> </u>		147			00	-13	38
Taluk: Belui			District: Fi	2000	Sta	te: Karnel	alco :
) Bammenahal		7			90	-16	25
		12			. 00	96	54
?) Hanike		13		* * *	00	72	17,
		20			00	11	68
		7			00	40	78
	Section 18 Section				200	32	52
	•				00	00	17 4.3
			11.38		00	29	51
	· · · · · · · · · · · · · · · · · · ·				90	40	08
		Villa	ge Limit		00	57	- 14
		118	Rec remark	ter e er	00	41	95
		114	1 .		00	10	22
			•		QO.	01	38
	₽	51.		1.	.00	12	47
		52	1 .		00	- 03	22
		54			/ 00 ,		61
					*	11	70
		55					10
		. 56	·		90		•
		56 58			. 00	20	09
		56 58, 60	Mat f		00	20 01	09 41
		56 58, 60 57			00 00 00	20 01 04	09 41 61
		56 58 60 57 65			00 00 00	20 01 04 52	09 41 61 38
		56 58 60 57 65 64			00 00 00 00 00	20 01 04 52 02	09 41 51 58 • 77
3) Heeraguppe		56 58, 60 57 65 64			00 00 00 00 00	20 01 04 52 02	09 41 61 38
3) Heeraguppe		56 58 60 57 65 64			00 00 00 00 00	20 01 04 52 02	09 41 51 58 • 77

-			2	3	4	5
)	hikkabiccodu		18/3	00	21	51
,			18/1	00	45	43
			18/2	00	00′	32
			17/1	00	. 02	20
		* * * * * * * * * * * * * * * * * * * *	24	00	09	18
	·		16/1	-00	34	49
		***	16/2	00	08	15
		-	16/3	00	04	99
				00	09	89
			15/2	00	06	54
			15/1			
	•		14	- 00	09	58
			13/1	00	23	79
			13/2	. 00	18	36
			11/1	00	20	68
			11/2	00	07	58
			10	00	07	17
	The second of the second	January State	Govt. Kharab Between Sy.No. 10 & 7	00	04	80
			7/5B1	00	04	78
			9	00	01	38
	••		8	00	13	84
٠,			39	00	40	88
Ĺ	.	XV	38	00	25	69
			.37	00	· 75	97
		11.	47	00	58	22
5)	Mattavara		186	00	14	82
			Road between Sy.No. 186 & 190	00	06	00 -
			190	00	17	21
,	(*)		191	00	42	75
	7 / 7		Gramatana between Sy.No. 191 & 194	00	20	50
			194/3	. 00	18	52
			5	00	48	23
•			Gramatana between Sy.No. 5 & 7	00	19	04
			7/2	00	18	67`
•			7/1	00	22	60
			18/1	00	40	66
		and the second	17	00	08	00-
		0	23	00	04	96
	15.		22/6	00	00	67
•	1		22/4	00	42	94
,			24	00	03	34
			22/3	00	03	57
•			22/5	00	10	38

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[माग II— खण्ड 3(ii)] भारत थ	श शबपत्र : जनकी	15, 2611/4 25, 1932		$-\mathcal{J}_{i-1}$	418
1			3	4	
5) Mattavara (Contd)	35/3	100	00	06	*
	35/2		00	12	12
	36/1		. 00	94	90
	36/2		, OO (09 ~	73
81	37		00	Ó 7	41
	38		. 00	15	89.
	39/1		. 00	11	70
	39/3		00	.00	10 ~
• •	39/2		90 -	05	13
	41/2		00	03	66
	41/1		00	26	05
	-40		00	27	41
	46		00	10	73
	47		00	07	29
	30	Ĺ	00	34	99
6) Venkatapete	17	, ,	00	24	84
	11/2		00	08	52
		Sy.No. 11 & 12	-00	06	17
	12/1		00	16	64
	9/1 -		00	15	45
	8	-	00	63	86
	7		00	29	71
	5	<u> </u>	00	90	10 -
	6		00	12	1 21 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	39/1		00	14	24
	39/2	-	. 00	14	68
	40		00 %	07	83
	41/1	n _e = 5=0	00	17	62
	41/2	• • • •	00	18	21 ~
	41/4		00	27	09
	42		00	15	88
	43		90	20	91 -
	47/1			02	01
	36		00	10	06
	35/1C		00	44	76
	35/1B		90	00	To any as
7) Hiregarji	161		90	05	09
	162/2	9. 14.	. 00	32	57
	162/1	•	00	20	79
	162/3		00 1	04	27
	163/2.		00	35	45
	160/3		00	06	23
 			 	20	

-				2	3	4 .	5
		1.	1504	<u> </u>		_	4
ያ)` ፣	iregarji (Contd)		160/4		00	26	21
			163/1		00 .	00	40
			160/2		. 00	05	42
`			160/1		- 00	04 , -	77
. "			159/2		00	. 35	50
			159/1	·	00 .	13	. 41
			158	<u> </u>	, 00	00	10
•			47		00	02	28
	• *		46/2		. 00	17	41
•	, ·		46/1		00	19	31
			49/1		00	16	85
*		City,	50/2	•	00	12	29
. '			53/2		00	19	35
- ; - !	•		51/3	•	00	04	99
			53/1		00	14	55 .
-:			67		00	01	29
.			59/2	· ·	. 00	21	
	+1 **		62/2	• •	00	05	97 96
			30/2		. 00	01	- 70
٠.			28/5	. · · · · ·	00	28	35
	A Selection		28/3		00	15	- 90
٠.,			28/2		100	33	23
,							
			73	•	00 .	22	37
<u> </u>	7. V		, 74	· · · · · · · · · · · · · · · · · · ·	. 00	14	. 93
8)	Kadegarji		29/2	•	. 00	.00	10
•			29/3	:	(00	. 12	40
			22		00	13	. 08
			23/2		00 -	43	51
			21	>	00	09 -	93
			19		00	74	10
			20		00	16) 67 -
			145		00	07	65
			18		. 00	22	11
			17/1	•	. 00	10	30
			16/2		00	21	26
-03	A-shall		144	-	00	91	01
9)	Archalli	e proprieta de la companya de la co La companya de la co			00	91 06	21
			143	0			
.]	· · · · · ·		91		00	29	.76
			132		00	25	99
]			133		00	00	50
	, ,		131		. 00	35	21
	^		135		00	02	73
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[भाग II — खण्ड 3(ii)] भारत	का राजपत्र : जनुवरी	15, 2011/4N 25, 1932	4550 - A		Q 1
1	`	-	3		3
9) Arehalti (Contd)	128		00	28	90
	126		00	00	39
	127	* 1	00	31	07
	92		00	12	51
	93-		00	22	04
	94		00	29^	76
	90-		00	03	22
	89		00	02	73
	103		. 00	31	54
	95		-00	06	36
	99		00	07	90%
•	- 102		.00	. 08	47
	100	18 30 30 30	00	20	75
	98		00	05	25
	49		00	.58_	17
	45 ,		00	01.4	83
	47	1.00	00	41	56
	39		- 00	63	01
	208		00	13	
	216		00	58	90
	214		. 00	45	60
	212	and the second	. 60	49	97.
10) Malahalli	19/2		60	29	72
	19/1		00	29	52
	18/1		. 00	11	-68
	22/2		00	10	09
	22/1		00	13	72
	24		00	50	26
	26		00	43	25
	27		00	16	75.
	28		00 .	05	45
	29		00	08	40
	Nala between	Sy No. 29,30 & V.B	00	12	
	30		00	12 43	08 73
	2/2		00	44	20
11) Guragihalli	43	1. T	00	55	47
nny troughtour	75		01	05	
	44		00	05	88 94
	46		00	27	94
	46 48		00	21_	45
	66		00	85 81	69
	67	· - /			
	07		00	√ 37 ° ⇒	81

422 THE GAZETTE OF IND	IA: JANUARY 15, 2011/PAUSA 25, 19	· · · · · · · · · · · · · · · · · · ·	[Part II-	
	. 2	3	. 4	5
Ourighald (Cond)	65	00	17	26
	64/2	00	12	33
	64/1A	00	20	84
	64/1B	00	22	35
	85	00	24	54
	83	00	11	30
	82	00	. 01 '	24
	81	00	18	- 44 -
Malasaviire	125	00	06	. 73
	134	00	33	87
	123/2	00	01 -	75
	130	00	12	58
	131	00	21	14 .
	132	00	33	48
	133	00	20	77
	121	00	08	40
	120/2	00	42	68
	120/1	00	10	74
	119/2	00	11	23
	111	00.	01	73
	110/2	00 .	09	49
	110/1	00	18	24
	Cart track between Sy.No. 110 & 96	00	04	54
	96	00	47 .	75
	95	00 -	32	76
	94 "	. 00	10	.85
	93	. 00	46	33
	226	00	14.	77
	90	00	00	86
	4	00	26	00
	5	00	52	14
	8	01	05	92
	Nala between Sy. No. 8 & 49	00	01	77
	Nala in the Sy.No. 8	00	10	60
Kaanhali	Nala between Sy.No. 25 & V.B	00	03	21
	25	00	03	93
	26	00	17	
	28	00	08	10 44
	27	00	28 ·	<u>.</u> _
	33/1	. 00	55	21
	32	00	00	10
The same of the state of the same of the s	34	00 -	46	47

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•	1	г.	В	٥
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	<u> </u>	1			Ī	2		~	3	4	5
13)	Kaanahalli (Contd)		1		35.		,	-	00	. 13	15
14)	Umbalagod	· -			10		···········			10	81
٠.			•		9				00	41	11
					.8 . 5			<i>i</i> -1	. 00.	42	26
	- 7	÷		•	4 -				00.	08	., 59
				:	3			100	00	68	48
		, :			18/2				00	34	68
•	, ,		•	· '	19/1	1 2 1 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	٠ ,		00	- 00	36 -
					18/3		10 30	1000	. 00	20	92
	. ,			,	22 -				00	17	281
	•			*.3	26/2				- 00	37	08
.,		" •			26/1				∵ 00	35	81
	•		,		23/1				00	. 00	21
	*				24/6	7	No.		- 00	29	08
					24/5				00	07	50
					24/4				00	01	34
-	· · ·			· · · ·	24/2				00	12	39

[F.No. L-14014/1150010-G.P.]

नई दिल्ली, 10 जनवरी, 2011

का. आ. 163.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तिमसनाहु में तिल्सानी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपमोबताओं तक प्राकृतिक गैस के परिवर्षन के लिए मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैनाई-ट्यूटीकोरिन पाइपलाइन विकार जानी स्वाहिए;

और, भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवाश्यक प्रतीत होता है कि उस भूनि में, जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस आधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए

अतः, अब, भारत सरकार, पेट्रोक्तियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियन, 1952 (1962 का 50) की धारा 3 की उपधारा (1) हारा प्रदक्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवछ है, उन्न तारीख से जिसकी उक्त अधिनयम की सार 3 की उन्नार (4) भीन जारी की गई अधिसूचना की प्रतियां साधारण जनता की उपलब्ध करा दी जाती हैं, इसकीस दिन के भीनर पूर्व के गइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री एस एजामनिकाम, सबन प्रविकारी, फारदक्चर लिमिटेड, नं•9डी/6डी, रामकृष्णपुरम, पील्लैंबार कोवील के समने, करूर - 639001, तक्तिकाड़ में आक्षेप भेज सकेगा।

अनुसूची

म्नुव १आसुर	जिला इसेल		राज्य ३ त	भेलनाडु	-×-
भूषेय क्षा नाग		/ सब डिकिजन सं-	आर-अ		ति करने
A		y	हेक्टेयर	एयर	सि एयर
		2 .	3	4	5
आहुर बाई ए	7/4	 _	02	81	17
	6/33		00	24	33
	11/14	,	^^		84
	11/12		00	46	32
	11/11/2		00	00.	83
	सर्वे न. 11/11/	१ में रास्ता	00	03	56
	12/36		00	66	68
, - · ·	-12/29		00	10	29
	12/37		00	00	10
	12/28		00	05	97
	12/41		00	03	72
	12/27		00	02	33
	12/26		00 .	00	10
	12/24		00	20	73
	12/21		00	32	_
	12/21				35
	12/22	2:	00	59	19
	सर्वे न. 16/19	म नाला	00	06	32
	16/17		00	18	25
	16/16		00	18	02
	17/3		0.0	03	68
	17/1		00	33	88.
	17/2		00	25	28
	# 1 7/5		00	00	10
	15/16		00	01	28
	15/17		00	35	45
			00	01	
	15/19	•			84
	15/18		00	00	22
आतुर वार्ड वी	5/68		00	03	61
	5/67		. 00	75	40/
	5/66		00	01	
	5/60/3		00	134	
	5/60/2	•	00		141
	5/60/1		00 ~ 1	-11	
	5/57/2		and and and		
	5/57/1		April 1		
	5/54/3				
	5/54/1	- m			
	9/54/1				
		<i>(</i> '			
		, a"			
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426	THE GAZETTE	OF INDIA: JANUARY	15, 2011/PAUSA 25, 19	32	[Part II—	-Sec. 3(ii)
			2	3	4	5
1)	gedier (Nitt?)	141/4		00	00	10
		142/8		00	20	25
		142/9		00	00	. 96
f	-	161/2	. 1	00	03	- 45
·		161/1	·	0.0	41	22
•		163/5	•	00	08	76
		163/3	•	00	13	65
		163/1		00	01	17 ~
		163/2		00	13	59
		164/1		00 ′	19	56
		166/1	•	00	02	53
		166/3		00	10	·71
		166/4		00	27	54
		167		00	25	28
	0	173/7		00	33	30
		174/2		00	15	. 97
٠		सर्वे न. 174/8	में रास्ता	00	03	32
		173/1 -		00	00	42
		177	* *	00	03	74
		176/1	•	00	31	25
٠		182/3σ		00	47.	65
		सर्वे न. 182/3	ही में ग्रस्ता	00	00	13
		186	31 7 ((()))	00	07	17
•		200/1		00	00	98
		200/3		00	57	88
		199/1 बी		00	02	30
. 1		199/4	,	00	15	93
٠.		199/5		, 00	25	1,6
		198/1	•	00	54	98
		205		00	21	63
·		सर्वे न. 198/2	में गम्बर	00	02	56
165 8	वेस्प्रकपर	जिला श्विस		राज्य श्ति		
	HUTHERICA	86/1		00	24	- 41
		86/2		00	24	87
		85/2		00	50	54
1		83/2		00	28	88
		83/3	٠.	00	02	53
. ,		83/4 ए		00	17	59
.		83/4बी		. 00	0.0	82
ż		सर्वे न. 83/6बी	भें सहन	00	02.	09
		सर्वे न. 83/10व		00	01	08
,		83/6सी	a a www	00	06	92
		00/041		VV	v	94

2	3	1	3.
83/10₩	00	v 47	67
सर्वे न. 80 में नाला	00	04	35
111/3	.00	.15	~27
111/4	00	05	11
111/6	00	03	45
110/1	00	02	60
111/7	00 4	00	38
111/10	00	35	14 A
111/12	00	15	77
114/6	00	_ 13	21
114/7	00	98	49
119/1	· 200'	23	30
सर्वे न. 114 / 5 में नाला	00	00	10
सर्वे न. 117/8 में नाला	00	04	39
117/7	00	11	52
			52
	.00	14	56
जिला इविरूधनगर	राज्य इतानि	नोडु .	
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	राज्य अस्मि	- 1	
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15/2 21/1ए	00 ⁻	07 09	48 81
15/2 21/1ए 21/1बी	00 ⁻ 00 00	07 09 13	48 81 44
15/2 21/1ए 21/1वी 15/13वी	00 - 00 00	07 09	48 81 41 02
15/2 21/1ए 21/1वी 15/13वी 21/1सी	00 - 00 00 00 00	07 09 13 02	48 81 41 02 82
15/2 21/1ए 21/1वी 15/13वी 21/1सी 21/1सी	00 00 00 00 00 00	07 09 13 02 11	48 81 41 02
15/2 21/1ए 21/1बी 15/13वी 21/1सी 21/1सी 21/2	00 00 00 00 00 00	07 09 13 02 11 04	48 81 41 02 82 70
15/2 21/1ए 21/1बी 15/13वी 21/1सी 21/1सी 21/2 21/4	00 00 00 00 00 00 00	07 09 13 02 11 04 07	48 81 41 02 82 70 17
15/2 21/1ए 21/1बी 15/13की 21/1सी 21/1सी 21/2 21/4 21/10	00 00 00 00 00 00	07 09 13 02 11 04 07 02	48 81 41 02 82 70 17
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15/2 21/1页 21/1朝 15/13朝 21/1朝 21/1朝 21/2 21/4 21/10 20 सर्वे न. 16 में साला	00 00 00 00 00 00 00	07 09 13 02 11 04 07 02 01	48 81 41 02 82 70 17 77 44
15/2 21/1ए 21/1वी 15/13वी 21/1सी 21/1सी 21/2 21/4 21/10 20	00 00 00 00 00 00 00 00 00	07 09 13 02 11 04 07 02 01 16	48 81 41 02 82 70 17 77 44 71
	सर्वे न. 80 में नाला 111/3 111/4 111/6 110/1 111/7 111/10 111/12 114/6 114/7 119/1 सर्वे न. 114/5 में नाला सर्वे न. 117/8 में नाला 117/7 117/6वी 117/5 जिला इनिक्धनगर 170 171/1 171/3 जिला इन्हरे 9/4ए 9/4वी 14/2 14/1	सर्वे न. 80 में नाला 00 111/3 00 111/4 00 111/6 00 110/1 00 111/7 00 111/7 111/10 00 111/12 00 114/6 114/7 00 114/6 114/7 119/1 00 सर्वे न. 111/6 में नाला 00 117/7 117/6 में नाला 00 117/7 00 171/6 में नाला 00 117/5 00 171/1 00 171/1 00 171/1 00 171/1 00 171/1 00 171/1 00 171/1 00 171/3 00 जिला इमही 100 14/2 00 9/4 वी 00 14/2 14/1 00 1	सर्ते न. 80 में नाला 00 04 1111/3 00 15 1111/4 00 05 1111/6 00 03 110/1 00 02 1111/7 00 00 05 1111/10 00 35 1111/12 00 15 111/12 00 15 111/12 00 15 111/12 00 15 111/17 00 98 111/17 00 98 111/17 00 23 सर्वे न. 111/16 में नाला 00 00 सर्वे न. 111/16 में नाला 00 04 11 117/5 00 14 जिला इविक्यनगर रिज्य इत्तिक्त मेड्ड 170 00 04 171/1 00 43 171/1 00 43 171/1 00 43 171/1 00 43 171/1 00 43 171/1 00 00 00 12 9/4च 00 12 9/4ची 00 29 14/2 00 15 14/2 14/1 00 09

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	196			•-	00	04	14
	195/1 q1 q		-	-	00.	06	36
	195/ ार १ए 195/.1ए1वी	* .			00	09	43
	195/1π2				00	08	81
					00	02	73
	195/2				00	07	64
	195/3		•		00	05	42
4.00	195/4π					•	05
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1.	199/10				00	1.2	- 22
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	199/4वी	•	-		00	01	87
, k	199/7				00	,Õ1	12
	199/13			:	00	07	70
,	199/14				00	03	94
· · · · · · · · · · · · · · · · · · ·	199/15				00	.04	44
	199/9		. • •		00	. 08	22
	200				00	05	85
	203	.*	`		01	77	. 35
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	206/3ए1				00	02	79
	206/3π2				00	28	51
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A STATE OF	208/9 वी				00	01	88
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[भाग II—खण्ड 3(ii)] भारत	का सजपत्र : जनवरी 15, 241/पीप 25	, 1932	4
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2) उरम्पनुर (निरंतर)	212/5श्री	80 47	
a) of the female	212/5	00 00	
	211/2ψ2	00 08	
	211/3	00 16	The second of the Second of the
	211/4	00 15	28
3) सतन्तुकी	2/1ए1	00 12	13
. all Sei	2/1बी1	00 00	-
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en e	2/1सी2	00 17	
	2/3	00 22	
	19/1σ	00 11	
	19/12	00 05	14
	19/2	00 05	
	सर्वे न. 19/3 में साका	00 11	49
	19/50	00 37	82
	19/5सी	00 00	30
	19/58	00 23	06
•	22/1g	00 18	57
	22/14	00 03	86
	18	00 19	72
	22/5	00 00	
	17/6	00 15	05
	22/6σ	00 00	20
	17/8बी2	00 14	52
	17/10सी	00 15	79
	16/3σ2	00 00	91
	16/3वी	00 02	60
- · ·	16/3/112	00 03	
	23	00 24	
	16/4π	00 24	37
	सर्वे न. 16/4वी में नासा	00 11	15
	16/4सी	- 00 18	
•	24	00 08	
	25/3π1	00 08	
	सर्वे न. 25/3ए2 में माला	.00 02	
	सर्वे न. 25/3बी2 में महला	00 01	
	25/3a11	00 10	
	25/6τ	00 00	
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	.27/7बी	00 02	65

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) was (Mar)	सर्वे न. 28 में नाला	00	30	28
- County	27/8बी	00	.09	- 21
	27/09 30/2τ	00	23	52
	•	0.0	24	21
	32/4	00	22	50
	32/11	00	26	47
	32/8	00.,	. 35	69
	33	00	42	12
	35	00	17	64
	34/1 0	00	10	00
	सर्वे न. 130/1 में रास्ता		38	18
	131/2 1 131/3-2 =	00	•	
	सर्वे न. 131/2बी2 में नाला	00	02	40
	सर्वे न. 132/3ए में नाला	00.		38
	131/4 u	00	05	24
	131/4ৰী	00	01	70
	सर्वे न. 132/3बी में नाला	00	12	99
	132/3सी	-00	33	49
	133/2बी	00	00	42
	142/1	, 00	02	75
	150/3	00	00	. 27
	सर्वे न. 151/2 में नाला	00	14	94
	151/5	00	02	64
	149/2τ	00	02	.36
	149/2ৰ্ৰা	00	38	34
	152	00	34	48
	153/3π	00	01	51
	153/1	.00	21	03
	153/2	00	15.	28
	₹ 153/7ᡛ	00	: 18	62
	159/1 ब ी	00 ,	16	62
	159/3	00	10 -	75
	159/4	00	11	_ 39
	274/2	00	05 .	16
	274/3 _U	. 00	06	39
	274/3बी	00	10	06
	274/3 सी	00	05	. 38
	274/4	. 00	00	30
	274/7υ	00	24	40
	273/20	. 00	00	31
	273/2स 273/2बी	00	10	91
	273/2बा 273/3बा	0.0	22	50
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[भाग [1—खण्ड 3(ii)]	भारत का राजपत्र : जनवरी 15	20 11/中 25, 1932			401
1			3		
4) कालीपुढी (निरंतर)	269/14	2.3	00	04	26
	269/2		00″	18	92
	269/3		00	0.1	01
	269/4		00	12	93
	2 69/5		7.00	04 -	30
	270/1		0.0	35	39
	270/2		00	00	81
·. ·	271/6		00	03	90
	271/7		00	16	64
	2 68/2π	1,	00	04	74
	267/1		. 00	11	26
	267/2		00	03	0.6
	267/3		00	05	52
	2 67/5 σ		00	14	37
	266/1		00	24	45
	259/1		0.0	21	50
	259/2π		0.0	40	83
	259/2बी		00	07	86
	261/34		0.0	10	16
·. ·	261/4		00	12	08
	2 [.] 61/5 डी		00	12.	72
	260/2	(1) 化多方面	00	09	20
	260/3		00	20	37
	9/2π		00	24	49
	9/2 4 1		00	01	87
	9/2बी2		00	15	44
	9/3बी		00	16	17.
	15		00	01	03
	10/3		- 00	10	32
	11/1g		00	15	78
	11/1 s î				45
			00	28 05	18
	11/1 सी		. 00	20	83
	11/2	A STATE OF THE STA	•	07	
	13/3		00		58
	12/4	自動を行ってい	00	13	58
	12/5		00	25	01
	12/6		00	16	26.
	22/1		00	11	36
तालुक श्वाडिपष्टि	जिला अनुहै		राज्य अली		
1) अर्वेत-कराय	54		00	03	14
	53/5बी2		. 00.	01 -	45

53/2ए 53/5ए1 00

432	THE GAZETTE (OF INDIA: JANUARY	15, 2011/PAUSA 25, 1	932	[Part II—	-Sec. 3(ii)]
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D aller	KOK	53/1ए		00	00_	31
		53/1बी		00	01	28
		53/5 _Q 2	•	00	07	19
		53/2बी		00	15	32
		53/3		00	10	24
		53/4		. 00	00	40
		सर्वे न. 56 में ना	ला .	00	01-	34
	Carlotte Company	49/1		00	29	01
		48/1ਦ		00	13 `	40
		48/1बी		00	14	- 07
		89/2	• .	. 00	13	77
		सर्वे न. 88 में ना	ला	. 00	01	-76
		87/1		00	15	76
		61/2		00	11	62
·		सर्वे न. 85 में ना	ला	00	01	87
		67/2		0.0	06	0.0
		67/3	• •	00	10	54
		68/4		00	06	73
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		82/1g		00	- 14	13
		82/1बी	•	00	08	20
		82/2 _ए 1	•	00	05	05
		82/2 ₀ 2		.00	. 01 /	54
	7	82/2वी	;	00	23	62
		80/1	•	00	26	58
		80/2	•	00	05	92
		80/3		00	07	64
	المواقع المحافظ والمتابع والمتابع	80/4		00	09	09
		74/1		00	20	. 11
		75/2		00)2	61
		73/2	•	00	11	85
	a Tankiti ta	352/1		00	٥,	07
	The state of the s	351	•	00	12	79
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		350/2	· · · · · .	00	22	46
		350/2 349/2 ए		00	09	54
			•	~00	.03	, 85
		349/2बी 349/1	* 1	00	02	91
		349/1		00		43
17 17 17 17 18 18 18 18 18 18 18 18 18 18 18 18 18		349/4			03	
		348/1		. 00		92
		343/1		00	09	11
2 7 16		सर्वे न. 357 में	नाला	00	02	31
		339/3	· · · · · ·	- 00	48	19

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	1			. 2	-3		
1) स्वयंत	न्तराथ (निरंतर)		339/5		00	15	10
			339/6		00	00	27
		:	338		00	05	63
			339/7		00	17	83
•			339/4		00	03	33
			सर्वे न :	518 में नाला	00	08	78
			373		0.0	25	56
	* .		37.2/1		00	23	36
			372/2		00	39	56
			374		- 00	40	30
* '		· -	527		00	20	06
		-	375		00	02	82
	·		528		00	05	23

पा सं एल.-14014/[14/2010-क्रेक]

के के सम्बं अका सकिव

New Delhi, the 10th January, 2011

S. O. 163.—Whereas it appears to government of India that it is necessary in public interest that for transportation of natural gas from terminal point of Vijayawada - Nelice - Channai pipeline near Tiruttani in Tami Nadu to consumers in various parts of the country, Chemai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule sanexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for taying the pipeline under the land to Shri S.Rajamanickam, Competent Authority, Relogistics Infrastructure Limited, No. 9D/6D Ramakrishnapuram, Opp. Pillayar Kovil, Karur – 639 991, Tamil Nadu State.

Schedule

Taluju At	Dail.	/ District:Salem	State:	ramii Nad	u		
Villag	Village	Survey No./Sub-Division	Area to	Area to be acquired for R			
			Hec	Are.	. C-Are -		
	1 - 7 - 7 - 7 - 7 - 7 - 7	2	3.	4	5		
1) Aitur	Ward A	7/4	02	.81	17		
		6/33	00	- 24	33.		
·		14/14	. 00	02	84		
		11/12	00	46	32		
		11/11/2	.00	00	83		
		Road in Survey No. 11/11/1	00	03-	56		
		12/36	00	66	68		
		12/29	. 00	10	29		
		12/37	.00.	00	10		
. 1		12/28	.00	05	97		
• 1		12/41	00	. 03	72		
·		12/27	00	02	33		
		12/26	. 00	. 00	10		
**		12/24	00	20	73		
- 4	The second of the second	12/21	. 00	32	35		
		12/22	00	59	19		
٠ . ا		Nala in Survey No. 16/19	. 00	06.	32		
		16/17	00	18	25		
	the state of the s	16/16	00	18	02		
		17/3	. 00	03	68		
.		17/1	00	33	88		
ł		17/2	00	25	28		
		∴ 17/5	. 00	00	10		
		15/16	00	01	28		
		15/17	00	35	45		
,		15/19	00	01.	84		
		. 15/18	00	; 00	22		
Amu	Ward B	5/68	00	03	61		
7 11		5/67	00	75	40		
		5/66	00	01	90 02		
- 1		5/60/3	: 00	13	01		
		5/60/2	00	14	78		
1		5/60/1	00	03	42		
		5/57/2	00	03 05	42 94		
. 1		5/57/1	00	16			
· · · · · · · · · · · · · · · · · · ·		5/54/3			51		
. 1.			00.	08	34		
		5/54/1	00	22	52		

2 3 4	45 09 31 88 57 09 53 10 87 79
2) Attur Ward B (Cointd) 5/22 00 00 5/21 00 01 5/19 00 29 5/20/5 00 06 5/20/2 00 02 5/10 00 02 5/12 00 32 5/11 00 09 5/14 00 00 5/6/1 00 05 5/4 00 45 6/1/10 00 47 6/1/8A 00 44 6/1/8A 00 44 6/1/10 00 03 6/2/1 00 03 6/2/2 00 00 6/2/3 00 01	45 09 31 88 57 09 53 10 87 79
5/19	45 09 31 88 57 09 53 10 87 79
5/19	09 31 88 57 09 53 10 87 79
5/20/2 00 02 5/10 00 02 5/12 00 32 5/11 00 69 5/14 00 00 5/6/1 00 05 5/4 00 45 6/1/1 00 00 6/1/8 00 47 6/1/8 00 44 6/1/10 00 00 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	31 88 57 09 53 10 87 79
5/10 00 02 5/12 00 32 5/11 00 69 5/14 00 00 5/6/1 00 05 5/4 60 45 6/1/1 00 00 6/1/8 00 47 6/1/8 00 44 6/1/10 00 03 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	31 88 57 09 53 10 87 79
5/10 00 02 5/12 00 32 5/11 00 69 5/14 00 00 5/6/1 00 05 5/4 60 45 6/1/1 00 00 6/1/8 00 47 6/1/8 00 44 6/1/10 00 03 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	88 57 09 53 10 87 79
5/12 00 32 5/11 00 69 5/14 00 00 5/6/1 00 05 5/4 00 45 6/1/1 00 00 6/1/8B 00 47 6/1/8A 00 44 6/1/10 00 03 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	57 09 53 10 87 79
5/11 00 89 5/14 90 00 5/6/1 00 05 5/4 00 45 6/1/1 80 00 6/1/8B 00 47 6/1/8A 00 44 6/1/10 00 03 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	09 53 10 87 79
5/14 00 00 5/6/1 00 05 5/4 00 45 6/1/1 00 00 6/1/8\(\frac{1}{8}\) 00 47 6/1/8\(\frac{1}{8}\) 00 00 00 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	53 10 87 79
\$/6/1 00 05 5/4 00 45 6/1/1 00 00 6/1/8B 00 47 6/1/8A 00 44 6/1/10 00 03 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	10 87 79
5/4	87 79 80
6/1/1 50 00 6/1/8B 00 47 6/1/8A 00 44 6/1/10 00 03 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	79 10
6/1/8B 00 47 6/1/8A 00 44 6/1/10 00 00 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	10
6/1/8A 00 44 6/1/10 00 03 6/2/1 00 00 6/2/2 00 00 6/2/3 00 01	
6/1/10	
6/2/1 00 90 6/2/2 00 00 6/2/3 00 01	
6/2/2 00 00 6/2/3 00 01	
6/2/3 00 01	
	29
Taluk:Namakkaj District:Namakkal Sasta:Task	i Hade
1) Pudukombai Road in Survey No. 2 00 02	93
4/14 600 16	05
4/1B 00 19	59
14/1	55
15/1A 00 12	30
15/1B	34
15/2A 00 04	29
15/2B 00 10	. 24
15/3A - 00 06	83
15/3D 00 01	27
17/3A 00 20	07
18	54,
19/4	
	82
	28
139/1	98
139/1 00 40 144/5 00 00	98 10
139/1 - 00 40 144/5 00 00 140/7 00 00	98 10 11
139/1 00 40 144/5 00 00 140/7 00 00 140/2 00 16	98 10 11 88
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139/1 00 40 144/5 00 00 140/7 00 00 140/2 00 16	98 10 11 88

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436	THE GAZETPE OF INDIA : JANUARY 15, 2011/PAUSA 25, 1	932	[Part]	II-Sec. 3(i	i)]
	1	`3	4	5	
1) Pedukon	rel (Coset) 141/4	00	00	. , 10	_
	142/8	00	20	25 -	
[] r [142/9	00	.00	96	
	161/2	00	03	45	
	161/1	00	41	22	
	163/5	00	08	76	
1	163/3	00	. 13	65	•
	163/1	00	01	17	
'	163/2	. 00	13	59	
1	164/1	00	19	56	
	166/1	00	02	53	
,	166/3	00 ,	10	71	١.
	166/4	00	27	54	
	167	00	25 .	28	
	173/7	00	33	30	
	174/2	00	15	97	
	Road in Survey No. 174/8	00	03	32	
	173/1	00	00	42	
· [The state of the s	. 00	03	74	
	176/1	00	+ 31	25	
	182/3A	00	47	65	
· .	Road in Survey No. 182/3B	00	00	13	
1	186	00	07	17	
•	200/1	00	00 .	98	
	200/3	00	57	88	٠
	199/1B	00	02	30	
`. <u>,</u>] .	199/4	00	15		
	199/5	- 00	25	'93 16	
-		. 00	54		
	198/I 205			98	
	Road in Survey No. 198/2	00	21	63	
		00	02	56	=
Taluin 1) Appay		Stat 00	e:Tamil Na 24	41	
A CHANG	86/2	00. -	24	87	
	\$5/2	00	50	54	
,	83/2	/ 00	. 28	88	
	83/3	00	02	53	
	83/4A	00	17	59	
, , , , , , , , , , , , , , , , , , ,	83/4B	- 00	00		
. [.	Road in Survey No. 83/6B		00	82 09	
		00	02		
	Dual in Carrier No. 07/1AD				
	Road in Survey No. 83/10B	00		80	
	Road in Survey No. 83/10B 83/6C 83/9	00 -00	06 13	92 33	

	1	2	3	4 .	•
i) :	Apptyyannyakkanpetti (Contd)	83/10C	00	17	67
		Nala in Survey No. 80	00	04	35
		111/3	00	15	27
	3.	÷111/4	. 00	05	11.
		111/6	00	03	45
	•	110/1	00	02	60
		111/7	.00	00	38
	_	111/10	00	35	14
		111/12	00	15	77
		114/6	00	13	21
	•••	114/7	00	08	49
	•	119/1	00	23	30
		Nala in Survey No. 114/5	60	00	10
	• •	Nala in Survey:No. 117/8	00	04	39
		117/7	00	11	52
		117/6B	00	10	52
		117/5	. 00	14	56
		11/13			
•	Taluk:Settur	Districts/frudhunager	State	Transfe #	lette
1)	Sinduvampatti Bit-1	170	00	04	32
		171/1	· 00°	43	68
		171/3	00	- 00	39
P					
11	Taluk:Tirumangalam Vannankulam	District Madural 9/2B	00	Female, P	60
1)	Aguigivaini	9/4A	00	12	06
		9/4B		29	23
					· · · · · · · · · · · · · · · · · · ·
2)	Urappanur	14/2	60	15	70
		14/1	. 00	09	31
		14/5	00	18	14
		14/6	00	04	54
		15/2	· 00	07	48
			. 00	Q9	81
		21/1A			
		21/1B	00	13	41
				13 02	41 02
		21/1B 15/13B	00	13 02 11	02 82
		21/1B	00 00	02	02 82
•		21/1B 15/13B 21/1C	00 00 00	02 11	02 82
		21/1B 15/13B 21/1C 21/1D	00 00 00	02 11 04	02 82 70 17
•		21/1B 15/13B 21/1C 21/1D 21/2 21/4	00 00 00 00 00	02 11 04 07 02	02 82
*		21/1B 15/13B 21/1C 21/1D 21/2 21/4 21/10.	00 00 00 00 00 00	02 11 04 07 02	02 82 70 17
*		21/1B 15/13B 21/1C 21/1D 21/2 21/4 21/10.	00 00 00 00 00 00 00	02 11 04 07 02 01 16	02 82 70 17 77 44
*		21/1B 15/13B 21/1C 21/1D 21/2 21/4 21/10. 20 Nala in Survey No. 16	00 00 00 00 00 00 00	02 11 04 07 02 01 16 15	02 82 70 17 77 44
*		21/1B 15/13B 21/1C 21/1D 21/2 21/4 21/10. 20 Nala in Survey No. 16 17/4D	00 00 00 00 00 00 00 00	02 11 04 07 02 01 16 15	02 82 70 17 77 44 71 98
*		21/1B 15/13B 21/1C 21/1D 21/2 21/4 21/10. 20 Nala in Survey No. 16	00 00 00 00 00 00 00	02 11 04 07 02 01 16 15	02 82 70 17 77 44

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rappenur (Costd)	17/1E				00	14	98
	18/3B				00	13	32
	18/4	•		•	00	00	65
	196	•			00	04	14 -
	195/1A1A	•			00	. 06	36
and the state of the same	195/1A1B	. •			00	09	43
	195/1A2				00	08	81
	195/2	•			. 00	. 02	73
	195/3				00	07	64
	195/4A		,		00	05	42
the state of the s	199/4A				00	. 01	05
	199/10			Ī	00.	12	22
•	199/11				00	03	19
	199/12				00	04	10
	199/4B				00	01	87
	199/7				00	. 01	12
	199/13			•	00	07	70
	199/14	ā			00	03	•
	199/15						94 -
	199/9				00	04	44
		ر.		•	00	08	22
	200		٠		00	05	85
	203			•	01	. 77	35
	202				00	15	92
	207	,		٠.	00	02	26
	206/4A		•		00	03	48
	206/3A1				00	02	79
	206/3A2				-00	28	51
	206/3B				00	08	30
	208/2A				00	. 08	36
	208/1A1	. 1			00	09	30
	208/4		•		00	05	51′
	208/1A2				00	06	94
	208/9A	•	•		00	01	77
	208/9B				00	Q1	88
	208/9C		`		00	03	02
	208/9D				00	09	24
	208/9E				00	17	17
	212/ICI				00	17	41
	212/2A			•	00	05	08
	212/2B				00	. 05	. 22
	212/5A	•			00	. 11	85
	212/5B				00	07	- 60

A1				177	Marie Ma Marie Marie Ma
[भग H—खण्ड 3(ii)] भारत	का राजपत्र : अनवर्र	15,2011/4 25,1932			439
1	1	2	3	4	5
2) Useppeaur (Contd)	-212/5C		90	07	28
	212/5D		00	06	45
	211/2A2		00	09	. 09
	211/3		00	16	- 30
	211/4		00	15	28
3) Sathankudi	2/1A1		00	12	13
7) Distriction	2/1B1		00	00.	10
	2/1A2		60	02	67
	2/1B2		00	00	10
	2/1C1		00		12
	2/102			01	
			.00	17	37
	2/3		00	22	96
	19/1A		00	. 11	00
	19/12		00	06	65
	19/2		00	95	33.
	Nala in Surve	y No. 19/3	00	111	49
	19/5Å		00	37	62
	19/5C		00	00	30'
	19/5D		00	23	06
	22/1A		00	18 -	57
	22/1B		00	√03	85
	18		00	. 19	72
	22/5		00	00	96
	17/6		. 00	15	05
	22/6A		.00	. 00	20
× .	17/8B2		00 0	14	52
	17/10C		.00	15	79
	16/3A2		00	00	91 -
	16/3B		60	02	60
	16/3C2		00	03	72
	23		00	24	
	16/4A		00	24	50 37 15
	Nala in Surve	v No. 16/4D	00	11	16
	16/4C	y 140, 1004D			
	24		00	18	85
		- · ·	. 00	08	38
	25/3A1	We gen as	00	. 09	04
, ·	Nala in Surve		00	02	29
	Nala in Surve	y No .25/3B2	00	01	96
	25/3B1		00	10	77 -
	25/6A		00	.00	19
	25/6B		00	00	68
	27/78	1	00	02	65

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Settledisci (Coats)	Nala in Survey No .28	00	30	28
	27/8B	00	09	21
	30/2A	00	23	52
	32/4	00	24	21
	32/11 ,	00	22	50
	32/8	00	26	47
	33	00	35	69
	35 .	- 00	42	12
	34/1A	00	17	- 64
	Road in Survey No. 130/1	00	10	00 .
	131/2B1	∙00	38	18
	Nala in Survey No. 131/2B2	00	02	40
	Nala in Survey No. 132/3A	00	17	. 38
	131/4A	00	05	24
	131/4B	00	01	70
	Nala in Survey No. 132/3B	00	12	99
	132/3C	- 00	33	49
	133/2B	00	00	42
	142/1	00	02	75
	150/3	00	00	27
	Nala in Survey No. 151/2 .	00	14	94
	151/5	00	02	64
	149/2A	00	02	36
1	149/2B	00	38	34
1	152	00	34	48
	153/3A	.00	01.	.51
	153/1	. 00	21	03
	153/2	00 -	15	28
■ · · · · · · · · · · · · · · · · · · ·	153/7A	00	18	62
	159/1B	00	16	62
	159/3	00	10	75
	159/4	00	11.	39
	274/2	00		16
	274/3A	00	05	39
	274/3B		06	
	274/3C	00	10	06
	274/4 274/4	00	05	38
	274/7A	00	00	30
		00	24	40
	273/2A	00	00	31
	273/2B 273/3B	00	10 22	91 50
	/ 1 4 / 4 	ΛΛ	77	£0.

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(Contd)	269/1B		60	04	26
	269/2	-	00	16	92
	269/3		00	01	-01
	269/4		00	12	93
	269/5		.00	04	30
	270/1		00	35	39
•	270/2	-	00	00	81
<u>`.</u>	271/6		00	03	90
	271/7		00	16	64
	268/2A		00	04	74
	267/1		00	. 11	26
	267/2		00	03	06
	267/3		- 00	05	52
	267/5A		00	14	37
	266/1		00	24	45
· · · · · · · · · · · · · · · · · · ·	259/1		00	21	50
	259/2A	to de la companya de La companya de la co	- 00	10	83
	259/2B		00 -	07	
	261/3B		00	10	86
	261/4		00	12	16
•	261/5D				08
•	260/2		00	12	72
	260/3		00	09	20
			. 00	20	37
	9/2A	· · · · · · · · · · · · · · · · · · ·	00	24	49
	9/2B1		00	01	87
	9/2B2		00	15	44
	9/3B		00	16	17
	15		00	01	03
	10/3		00	16	32
	11/1A		00	15	.73
	11/IB		00 ,	28	45
	11/1C		00	05	16
	11/2		00	20	83
	13/3		00	97	58
	12/4		60	13	58
	12/5		. 00	25	01
	12/6		00	16	26
	22/1 ,		, 00	11.	36
Taluk:Vadipatti	Distr	ctsMadurai	State	Tamil N	
) Ayenthenkarai	54		00	03	14
	53/5B2		00	01	45
	53/2A		00	00	10
•	E215 4 1 .		20		

442	THE GAZETTE OF INDI	A: JANUARY 15, 2011/PAUSA	25, 1932	[Part]	[[—Sec. 3(ii)]
	1	2	3	- 4	5
1). Ay	inkaral (Contd) 5	3/1A	00	00	`3.1
	5	3/1B	- 00	01	28
		53/5A2	. 00	07	19
•.		53/2B	00	15	32 .
		53/3	00	10 1	24
·		53/4	. 00	00	40
	1	Nala in Survey No.56	00	01	34
		19/1	00	29	01
	4	18/1A	00	13	40
· .'		18/1B	00	14	07
		19/2	00	13	7 7
		Vala in Survey No.88	. 00	01	76
.,		37/1	00	15	76
		51/2	00	1.1	62
	1	Nala in Survey No. 85	00	01	87
		57/2	00	06	00
		57/3	00	10	54
		58/4	00	06	73
•		32/1A	00	14	13
		32/1B	00	. 08	20
100		32/2A1	00	05	05
		82/2A2	00	01	54
	L .	32/2B	00	23	62
		BO/1	00	26	58
		80/2	00	· 05.	92
`. ·		80/3	00	07	64
		80/4	00	09	09
24.74		74/1	. 00	20	ľ1
		75/2	00	02	61
		73/2	. 00	11	85
		352/1	00	10	07
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		350/1	00		. 96
• • • •		350/2	00	.09 .22	46
•		349/2A	00	. 09	54
		349/2B	. 00	03	85
		349/1	00	02	91
		349/4.	00	10	43
		348/1	00	03	92
		343/1	00 .	09	11 -
		Nala in Survey No. 357	00	02	31
		NAIR III SULVEY NO. 337	. W	V2	21

339/3

1		2		3	4	3
Ayenthenkarai (Contd)	╮	339/5		00	15	10
		339/6		00 7 -	00	27
		338	2.	00	95	63
		339/7		90	17	83
		339/4		00	03	33
	•	Nala in Survey No. 518		00 · v	98	78
	÷ .	373		00	25	59
		372/1		00	23	38
	•	372/2		00	39	58
	• • •	374		00	40	30
		527		00	20	06
	~	375		00	02	82
		528		00	.05	23

[F. No. L-14014/114/2010-G.P.] K. K. SHARMA, Under Becy.

नई दिल्ली, 11 जनवरी, 2011

का. आ. 164.— भारत सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूषि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसके परमात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी मारत सरकार के पेट्रोलियम और पाकृतिक गैस मंत्रालय की अधिसूचना संख्या का आ. 1495, तारीख 04 जून, 2010 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट मूमि में, मैसर्स रिलाएंस इन्डस्ट्रीज स्थिन्टिड के आन्ध प्रदेश में पूर्वी तट पर ऑनशोर टरमिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक मैस के परिवहन के लिए, मैसर्स रिलीजिस्टिक्स इन्फास्ट्रकचर लिमिटेड द्वारा काकीबाडा- वासुदेवपुर-हावडा गैस पाइपलाइन विकान के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आश्रम की घोषणा की थी;

और, उक्त. राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 29 314 तूचरे ,2010 को अथवा उससे पूर्व उपलब्ध करा दी गई थीं :

और ,पाइपलाइन विछाने के संबंध में, जनता की ओर से कोई आक्षेप प्राप्त नहीं हुआ है ;

और, सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है ;

और, भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि पाइपलाइन विछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिधियय किया है :

अत:, अव, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह धोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची वे विनिर्दिप्ट भूमि में पाइपलाइन विक्राने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से भारत सरकार में निहित होने के कजाए, सभी विल्लंगमों से मुक्त, नैसर्स रिलोजिस्टिक्स इन्फ्रस्ट्रक्सर लिमिटेड में निहित होगा।

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अनुसूची

गंडस/	तेहसिल/ तासुक : अन्दिगामा	जिला अश्रीकाकुलम	राज्य \$आ	न्ध्र प्रदेश		
	गाँव का नाग	सर्वे सं/सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए बेटफल			
			हेक्टेयर	एयर	सि एयर	
, ,	1	2	3	4	5	
) जदीव	ıcı	167/6	00	06	69	
) -1-4		167/7	00 €		75	
•		167/8	00	08	09	
:		167/9	00	03	05	
		167/10	00	08	34	
		167/11	00	05	93	
•		167/12	00	05	60	
٠. ٠.	[1] [1] [1] [1] [1] [1] [1] [1] [1] [1]	167/13	00	09	36	
		166/10	00	04	40	
		166/11 <	00	07	08	
		166/13 a l	00	14	61	
		166/14	00	. 06	98	
-	The second se	166/15	00	01	84	
		166/17	00	21	89	
,			00 .	04	79 ¯	
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		145/3	00	05	35	
		145/4	. 00	02	89	
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· .		149/2	00	02 }	69	
		. 149/4	00	04	64	
W		149/5	00	06	-80	
٠,		149/6	00	05	38	
	人名 人名 人名英格兰	149/9	00	06	90	
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		160/1 g	00	05	02	
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		152/5	00	15	31	
•		152/6	. 00	00	. 10	

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[आग II—खण्ड 3(ii)] पार	का सबकाः	नवरी 15, 20	11/ বীৰ 25, 1	932			44
	1	2		3	1	3	
i) जदीयादा (विरंतर)	152/8		- "	,00	10	- 14	4. C.
	153			00-	11	27	:
	154			00	00	70	<u>.</u>
	131/7			00		12	1 50
	128/3			. 00	22 💸	96 84	
	128/7			00	11-	41	·
	127/1	1	24	- CO	17	91	
	127/2			00	14	43	
2) कासीमजी कासीपुरम	13/1	Jack Comment		00	12	30	
•	13/2 - 12/11			00	01	60	· · · -
	12/12			00	00	10	4
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[का II—खण्ड 3(ii)] भार	ह को राजपत्र : जन	स्य 15, 2011/भैग 25, 1932		
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फा सं. एल.-14014/35/2010-जी.पी.] के .के .शर्मा, अवर सचिव

New Delhi, the 11th January, 2011

Natural Gas number \$40. 1495 dated 04th June, 2010, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land, specified in the Schedule appended to that notification for the purpose of laying Kakinada-Basudebpur-Howrah gas pipeline for transportation of natural gas from onshore tensional at East coast of Andhra Pradesh of M/s Reliance Industries Limited by M/s Relogistics Infrastructure Limited to the consumers in various parts of the country;

And whereas, the copies of the said Gazette notification were made available to the public on or before 23%, October, 2010;

And whereas, no objections were received from the public to the laying of the pipeline;

And whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government of India;

And whereas, Government of India, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land, specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said and Government of India hereby directs that the Eight of User in the said lind for highest pipeline shall, instead of vesting in Government of India, vest on the date of publication of the declaration, in M/s Relogistics Infrastructure I imited, free from all occumbrances.

Schedule

Mandal/Tehsil/Taluk:Nandigema	District				
Village	Survey N	o /Sub-Division No.	Area to be acquired for their		
			Hec	Alte	0-0-1
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	167/7		00	03	75
	167/8		00	08	09
	167/9		00	03	05
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	166/10	and the second of the second of	00	04	40
	166/11		00	07	08
	166/13B		(w)	14	61
	166/14		00	06	98
	166/15		00	01	84
	166/17		00	21	89
	165/1		00	04	79
	165/6		00	01	29
	165/7		00	00	64
	142		90	11	82
	145/1		00	02	63
	145/2		00	04	51
			00	05	35
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	149/2		00	02	69
	149/4		00	04	64
	149/5		00	06	80
	149/6		00	05	38
	149/9		00	96	90
	149/10			07	40
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46	THE GAZETTE OF INDIA	, 1932	932 [Part II—Sec. 3(ii)]		
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मारत के राज्यत्र : जनवरी 15 2011/पौच 25, 1932

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2)	Kaslmji Kasipuram (Contd)		23/3		00	01	64
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			24/3		00	08	85
			24/2		, 00	13	72
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			24/8		00	01	60
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1)	Tekkalipatnam	56/8	00	18	63
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		54/8A	00	04	63
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		54/8B	00	02	34
		54/10	00	10	55
		54/5	.00	16	89
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		64/6	00	05	06
		64/5A	00	01	- 46
		64/4A	00	01	22
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		64/4B	00	03	43
		64/3	00	04	37
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464	THE GAZETTE OF INDL	i January	: JANUARY 15, 2011/PAUSA 25, 1932			[Part II—Sec. 3(ii)]		
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1) 10	Kalipalmana (Contr.)	63/9	-	00	02	. 18		
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		56/1	,	00	26	49		
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		58/10		00	03	39		
		58/11		00	02	62		
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) Rentikota	508/1B		90	18	73
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68	THE G	AZETTE OF IN	DIA : JANUAR	Y 15, 2011/PA	USA 25	1932	[Pa	rt II—Sec. 3(
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6) Peddanahala 567/4 566/1	00	05	78
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THE GAZETTE OF INDIA: JANUARY 15, 2011/PAUSA 25, 1932

[Part II-Sec. 3(ii)]

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THE CHARGE COMES SEC

नई दिल्ली, 11 जनवरी, 2011

का. आ. 165 — भारत सरकार को लोकहित में यह आवश्यक प्रतीत । प्रदेश में पूर्वी तट पर ऑनशोर टरिनन्त से देश के विभिन्न हिस्सों में तम्म मैसर्स रिलोजिस्टिक्स क्यास्ट्रक्यर लिगिटेड द्वारा काकीनाडा – क्रासुदेहरूर

और, भारत सरकार को उनत पाइप्रसाइन विछाने के प्रयोजन के लिए कि किया कि किया कि किया कि किया कि किया जाने का प्रताब है और जो इस अधिकार के अधिकार का अर्जन किया जाए :

अतः, अब, भारत तरकार, पेट्रोनियम और खनिज पाइपलाइन (भूनिक उन्हार्क अधिनार का अर्थन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदेश महिन्द करते हुए उन्हें उपयोग के अधिकार का अर्जन करने के अपने आश्रय की घोपणा करती है;

कोई व्यक्ति, जो उन्त अनुमूची में वर्णित भूमि में हितवाह है, उस तारी के अधीन जाती की घर 3 की उपासरा (1) के अधीन जारी की गई अधिसूचना की प्रतियों साधारण जनता की अधीन जाती है, क्राफीन दिन के मीतर भूमि के नीचे पाइपलाइन विखर्ड जाने के लिए उपायोग के अधिक के बेंदि हैं ही ब्राइकर निपाली, सकत प्राधिकारी, रिलोजिस्टिक्स इन्मास्ट्रक्चर लिमिटेड, प्रथम मंजिल, मीकि अधिक के लिखित रूप में आवेप भेज सकेगा ।

अनुसूची

डल/ तेहसिल/ तालुक इटंगी चौडवार	_ जिला ३०	जिला ३कटक			राज्य ३ ओडिशा		
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ज़ी स. एस.-14014/113/2010-जेंद्रे**ी**.

ने में जन्में अपर श्रीक

New Delhi, the 11th January, 2011

8.0. 165—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onahore terminal at Bast count of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebour - Howish pipeline should be laid by M/s Religistics Infrastructure Limited.

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Covernment of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Bhaskir Pripithy Competent Authority, Religiotics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharpur, Bhubanaswar 751023, Orissa State.

Schedule

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[F. No. L-14014/113/2010-G.P.] K. K. SHARMA, Under Secy.

नई दिल्ली, 11 जनवरी, 2011

का. आ. 166.— भारत सरकार को लोकहिल में यह आवश्यक प्रतिहा होता है कि मैसर्स रिसाएन्स ईडस्ट्रॉज लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट यर ऑनशोर ट्रॉमनल से देश के विभिन्न हिस्सी में उपमोक्ताओं तक प्रकृतिक गैस के परिचहन के लिए, मैसर्स रिलोजिस्टिक्स इनफास्ट्रक्चर लिमिटेड द्वारा काकीनाड़ा - बाहुक्चपुर - हावड़ा चाइपलाइन विखाई जानी चाहिए;

और, भारत सरकार को उक्त पाइफ्लाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि, उस भूमि में, जिसके भीतर उक्त पाइफ्लाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूबना से उपावन्त अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आभय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस सारीख से जिसको उक्त अधिनियन की धारा 3 की उपसारा (1) के अधीन जारी की गई अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उपायोग के अधिकार के अर्जन के संबंध में श्री भास्कर त्रिपाठी, सक्षम प्राधिकारी, रिलॉजिस्टिक्स इन्फास्ट्रक्चर लिमिटेड, प्रथम मंजिल, फोर्चुन टावर, चन्द्रशेखरपुर, मुबनेश्वर - 751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

चन केलिया तालुक क्रमेशाली	जिला श्जाजपुर	राज्य ३ औ	डिशा .	٠	
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i i i	161/1409	00	0.1	94
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THE GAZETTE OF	INDIA: JANUARY	15, 2011/PAUSA 25,	1932	[Part I	I—Sec. 3(ii
		2	3	4	5
5) रमंबियंति (निरंतर)	1250		00	01	- 92
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7) कुसनापासी (निरंतर)		124/427	60	41	38
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	343		00	05	20
	40		00	0.2	69
	42		00	00	86
	43		60	0.1	35
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554	THE GAZETTE	OF INDIA : JANUAI	RY 15, 2011/PAUSA 25, 1	932	[Part	[]—Sec. 3(ii)]
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18)	कर्रावरी (निरंतर)	182		. 00-	00	20
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		138		00	12	77
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		980		00	01	59
		966	<u>,</u>	00	14	31

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[Hid II — 60.8 3(II)] Sign 49	राज्यम् । ज	144:12, 2014	17 20, 1704	K A ZA K		
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556	THE GAZETTE OB INDIA: JANUARY 15, 2011/PAUSA 25, 19			Y 15, 2011/PAUSA 25, 1932 [Part II—Sec			rt II—Sec. 3(ii)]
19)			2		3	1 4	5
17).	कुरनाकरा (नितंतर)	516		,	. 00	00	90
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		492	•		00	01	33
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		182			00	00	92
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如果的問題等的名 接衛 医病恐怖 使人不及

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19) अनुसनापारा (निरंतर)	129	00	00	91
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	4208	00	00	50
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	118	00	05	67
	111	00	00	21
	117	. 00	06	97
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	178	00	03	30
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	216	00	00	62
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	225	00	02	08
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	4180	00	05	71
	4073	00	05	97
डल/ तेहसिल/ तालुक क्ष्कोराय	जिला श्जाजपुर	राज्य ३औ	201-201-101-101-101-101-101-101-101-101-	
) सोलपटमान्पुर	2783	00	03	78
•	2282	01	07	02
•	2833	00	04	36
	2835	00	00	63
	2444	0.0	02	11
•	2306	00	00	52
	2307	00	- 11 1	06
	2319	00	00	13
	2308	00	00	71
	2309	00	01	34

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THE GAZETTE OF INDIA: JANUARY 15, 2011/PAUSA 25, 1932

[Part II—Sec. 3(ii)]

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L	1) सेलप्टनास्ट्र (निरंतर)	2310			
	1) and Surfac flactic)	2305	00	06	85
			. 00	05	37
		2304	00	01 ′	03
		2266	00	16	17
		2299	00	03	67
		2263	00	14	51
		2271	00	06	23
	&-	2272	. 00	01	36
	*	2274	00	04	65
		2273	00	04	35
		2279	00	03	61
		2280	00	03	64
		2284	. 00	03	43
		2283	00	02	- 65
		428	. 00	01	35
		425	. 00	00	25
		429	00	02	06
		430	00	04	59
		405	. 00	02	.76
		407	00	00	30
		406	00	01	77
		403	00	00	10
		404	00	04	70
		387	00	00	13
		388	00	03	01
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		389	. 00	01	78
		384	00	01	89
		391	00		
		392		02	68
		39 3	. 00	02	04
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	The second of the second	383	00	00	10
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		335	00	01	45
		320	00	00	69

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1) बेलपटआन्पुर (निरंतर)	331	00	. 07	66
	330	00	04	. 24
	329	00	00	17
	517	00	09	36
	518	. 00	06	73
	560	00	07	.21
	559	00	04	02
	558	00.	03	′ 39
	565	00	06	37
	566	00	07	29
	586	00	06	33
	589	00	04.	02
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	590	ŌΟ	.00	78
	598	00	01	75
	597	00	07	40
	596	00	0.5	81
	619	100	0.6%	94
	618	00	07	78
	611	00	00	10
	सर्वे सं 611 और 616 के बीच वें	00	-00	. 10
	616	00	00	91
	617	00	04	59
	615	00	00	10
	सर्वे सं 615 और 651 के बीच में	00	00	86
	651	00	. 00	49
	650	00	. 01	`16
	645	00	.03	40
	647	00	00	10
	648	00	01	65
	649	00	00	97
	652	0.0	01	32
	910	0.0	00	99
	653	00	04	19
	909	00	0.2	16
	898	00	02	61
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. •	671	00	01	25
	908	00	02 ,	98
•	890	00	10	88
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) तेलपटमानपुर (निरंतर)	2827			4	5
Surface of Section			00	04	89
	901		00	00	10
	902		00	00	81
	903		00	00	10
	895	•	00	80	· 19
	893		00	04	69
	892		00	09	65
	887		00	03	58 ·
	885		00	05	78
	883	•	00 .	02	92
	884		00	00	91
	861	1	00		
	860			0,5	28
	857	• •	00	01	21
			00	00	25
	853		00	28	82
	836		00	00	10
	838		00	01	01
	851 _.		00	12	48
	852		00	27	82
	1612	•	00	01	34
	1146		00	01	44
	1150		00	01	05
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	1149	•	00	04	35
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c= ·	1163		00	11	14
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	1197		00	04	73
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	465	00	02	87
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	311	00	03	88
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	312	00	01	57
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	308	00	01	. 58
·	302	00	03	12
	303	00	0.7	73
	305	00	00	10
	304	00	01	17
	301	00	04	79
	166	. 00	03	92
	165	00	04	47
	168	00	, 01	80
	164	00	01	84
	162	0.0	00	53
	161	0.0	01	47
	167	00	02	02
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) <u>ब्राह्मनाच्चर</u> (निरंतर)	154	7	00	00	54
	147	•	ØO	05	41
	134	•	00	Ò1	96
	148	•	00	02	10
	133		00	02	07
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	116		00	00	32

फा सं. एल.-14014/112/2010-जी.पी.]

के के शर्मा, अवर सचिव

35

New Delhi, the 11th January, 2011

S.O. 166.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebpur - Howrah pipeline should be laid by M/s Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Bhaskar Tripathy, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharpur, Bhubaneswar - 751023, Orissa State.

Schedule

Mandal/Tohsil/Taluk:Dharmesala	District:Jejapur	States	Orisea	·
Village	Village Survey No./Sub-Division			ed for
		Hec	Are	C-Are
1,	2	3	4	5
1) Dankari	546	00	15	28
	684	00	24	66
	554	00	16	94
	687 .	00	12	92
	401	00	25	. 10
	892	00	00	-15
*	402	00	06	84
·	403	00	13	12
	893	00	07	30
	466	. 00	16	06
: (487	00	. 00	40
	456/894	. 00	16	75
•	467	00-	01	22
•	463	. 00	90	10
	462	00	23	40
	457	00	02	53
	460	00	22	15
•	458	00	.02	83
	,459	00	03	10
•	454	00	00	68
	765	00	05	59
	137	00	05	18
*	134	00.	01	57
	136	00	03	75
	138	00	18	15
	139	00	02	65
	142	00	03	65
0)(0	141	00	01	28
	145	00	02	24
	143	· 00	18	05
	144	00	00	27
	667	00	00	27 50
	669	00	03	67
	148	00	01	44
•	668	00	.07	79
	151	. 00	11	41
	150	00	. 04	22

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1)	Dunkarî (Contd)	152	00	02	30
		153	00	06	
		83	00		19
		154		11 -	99
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		645	00	01	58
		639	00 .	09	94
		896	00	03	10
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		57	00	05	02
		55	00	00	13
		623	00	. 01	15
		622	00	00	62
		804	00	08	45
		624	00 .	06	82
		621	00	08	47
		49	00	08	32
		759	00	11	44
		758	00	11	
•		.757	, 00	17	15
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		38	00		10
		35	00	04	38
		796		28	39
2)	Gobareswar	565	00	00	. 22
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		576	00	03	46
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भाग [[—खण्ड ३(🏋]	भारत का राज्यक : व	PHO 15, 2011/189 2	. 1933		
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2) Gobareswar (Contd)	574		-60 -00		
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9) Madhupurpat (Contd)	530		00	10
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THE GATE OF INDIA: JANUARY 15, 2011/PAUSA 25, 1932 [Part II—Sec. 3(ii)]

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[भाग II— खण्ड 3(ii)]	मारत का	राजपत्र :	जनवरा	3,4	11 11/414 50	1934	-		
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भारत का राजपत्र : जनकरी 15, 2011/भीष 25, 1932

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[F. No. L-14014/112/2010-G.P.] K. K. SHARMA, Under Secy,

अम और रोजगर मेबलय

नई दिल्ली, 20 दिसन्बर, 2010

कर, आ. 167.—औद्योगिक विवाद अविनियम, 1947 (1947 का 14) की बारा 17 के अंगुसरण में केन्द्रीय सरकार मध्य रेलवें प्रवंधतंत्र के संबद्ध नियोगकों और उनके कर्मकारों के बीच अनुवंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-2, मुम्बई के पंचाट (संदर्ग संख्या 59/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-12-2010 को प्राप्त बुखा था।

> [सं. एल. 41012/149/2004-आई अप्र(नी-I)] रमेश सिंह, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 20th December, 2010

S.O. 167.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 59/2005) of the Central Government Industrial Tribunal-cum-Labour Court-2, Mumbai as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Railway and their workmen, received by the Central Government on 14-12-2010.

[No. I.-41012/149/2004-IR(B-I)] RAMESH SINGH, Desk Officer

ANNEXUNE

BÉFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT:

K. B. Katake, Presiding Officer.

Reference No. CGIT-2/59 of 2005

Employers in relation to the management of (1) G.M., Central Railway, Mumbai, (2) DRM, Central Railway, Mumbai, (3) Sr. DCM, Central Railway, Mumbai.

- (1) The General Managor, Central Raffway, Mumbai CST, Mumbai-1.
- (2) Divisional Railway Manager, Central Railway, Mumbai CST, Mumbai-1.
- (3) Sr. Divisional Commercial Manager, Central Railway, Mumbai CST, Mumbai-1.

ANE

Their Workmen.

The General Secretary,
Madhya Railway Karamchari Sangh,
33, Moti Blatwan,
Dr. D'Silva Road, Dadar (W),
Mumber 496028.

AFFEARANCES:

Per Sa Employee : No. Affect Bullion Advisory (1900 (5)

For the Workseld : No appearance

Mundon, dated 9th November, 2010

1. The Government of Butis, Stimus; of Latiner and Employment by its Oftier No. Let (0) 2/34/3464 (B-1) deted 22-2-2005 in enemage of the property continued by clause (d) of sub-sociatis (1) suit sub-straight 2(A) of Section 10 of the lockstrial Districts Act, 1947 have replaced the following industrial dispute to this Tribunit for adjudication:

"Whether the action of the General Manager, Cantral Railway, Mumbai shrough its officers in awarding the punishment of Compulsory Retirement with hill consequential benefits to Shri D. P. Railway vide order dated 11-6-2003 read with order dated 26-9-2003 is legal, proper and just 7 finet their what selief the workman is entitled to and from which date and what other directions are necessary in the matter?"

- 2. The matrix of the case in nut shell is as follows Workman late D. P. Raikwar, was surving with Control Railway. The General Manages, Contral Railway, had directed inquiry for having found excess assessed of Re-1,010 with the workman in his ricket sale collection of the day and the workman was Hd. Booking Clork, therefore. inquiry was directed. The inquiry Officer held the weekings guilty and submitted the inquiry report to the General Manager, Central Railway, The General Manager, vide his order dt. 11-6-2003 removed the workman from the service. The workman preferred appeal against said possity of removal from service. The competent authority i.e., the ADRM (S) considered the uppend of the westerns and reduced the penalty to compularly resignance vide in order et. 26-9-2003. The workings has applied to the Labour Commissioner through Union for conciliation. As the contribation failed, the matter was referred to Contributed of India, Ministry of Labour and Employment New Del
- 3. The Union has filed Statement of Citim (Ex. 8) contending that the inquiry was not proper and the purishment is disproportionate. According to them the Departmental enquiry was held in violation of the provisions of law and against the publicipies of natural justice, therefore, it is illegal and unsustainable. Therefore, finding of Inquiry Officer deserves to be againsted. They also pray that the punishment available also algorithe be quarted unit the legal heirs of the workship has britished by printeness.

4. The Party No. 1, Central Railway, sesisted the statement of claim vide their written statement (Ex-9). According to the many the selection of the section an was weeking as a Head Booking Clork. He was found guilty of serious charges of over-charging the decoy passengers. Departmental enquiry that an interest in accordance with the disciplinary rules. Reasonable opportunity was given to the working the department in the mention officer found the workings suffice charges levelled against his relative sufficient order of removal of the working the sufficient was reduced to removal as a sufficient was reduced to removal as a sufficient with full consequential beliefts. Affordancy was a sufficient and other benefits were given to the winter of the deceased employee. According to the management, the deceased workman or his level beauty. his legal heirs are not entitled to claim reinstatement of the workman and beautite these of The husband of the applicant has not exhausted the remedy of revision. It indicates that he had no otherwise against the order of computatory returnment. Learning they pray that the missione personal with cost

3. My Latined President has framed the issues at the water of the bearing Since number of dates, the reflective was for thing affiditivit of witness of party No. 2. However, the witness i.e. the heirs of deceased workman did not turn-up. As the witness of Party No. 2 with south the learning of the deceased workman remained to the deceased workman remained to the deceased workman of th rabno sin runt. Definite de al se sesse con runt de

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Date 9-11 2010 Late R. B. ATAKE, Presiding Officer

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ं रेगे केल्ला संभावता भावता मार्थिक आहे आर (बी-ा) the reserve uniteresta electron the title see aftentit Department choosing was field in violation of the matte Mentalische Telefanischer 2010

S. Quite sin passens of Section 17 of the light to the sin passens of Section 17 of the light to the Central Covernors. The minutes for sugard (Ref. No. 72), 2007 of the Central Covernors advantal Tribunal-cum-Labour Court-2, Manhai as shown in the Annexure in the

industrial dispute between the employers in relation to the management of Central Railway and their workmen, received by the Central Novemment on 14-12-2010.

12413 144: Filler att [176:L41011/38/2008-1R(B-1)] RAMESH SINGH, Dek Officer is chops with a finding that the parties with the

THE PROPERTY OF STREET

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2. MUMBAI

PRESENT: AND PEARS NOT THE

K. B. Katake, Presiding Officer

Référence No. CGUI-2/17 062009 V.

Employers in relation to the management of Central กรที่ และหรือสื่อเหลือให้และ**เปล**าสติสสติดการก

The General Manager, and the land of the Control of

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CONTRACTOR CONTRACTOR AND SERVICE CONTRACTOR OF THE SERVICE CONTRACTOR

NEW YORK CONTROL OF THE PROPERTY OF THE PROPER Their Workmen

> The General Secretary, Rail Mazdoon Union A 27/123 3855 1860 Maturga: Mumbai. 1 2012/17 1412/72/30/20

APPEARANCES:

CR Karake, Provides Office For the Employer : Mr. Abhay Kulkarni, Advocate. में बेरिया के बेरिया है जिसे हैं है जिसे की अध्यक्ति हैं जिसे हैं

For the Workmen : No appearance

Mumbai, dated 29th November, 2010.

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Laborate Fris The Government of India, Ministry of Labour, by its Order No. L-41011/38/2008-IR (B-1) dated 17-6-2009 in exercise of the powers conferred by clause (d) of subsection (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the above dispute to this Tribunal for adjudication:

2. After receipt of the reference, notices were sent to both the parties. The union and the workman though were served by RP/AD thrice, did not turn up since last number of dates. The acknowledgement time at Ex-6, 8 and II. As the workman concerned and the union are absent since beginning and have not filed their statement of claim, the reference deserves to be dismissed. Thus I pass the following order to grade will be actioned will both.

& Dan of control of the Control of the

The reference stands dismissed with no order as to has all applicant of the product of Association to

Date: 29-11-2010 K.B. KATAKE, Presiding Officer

नई हिस्सी, 21 हिसम्बर, 2010 वर्ष

का आ 169 - औद्योगिक विकाद अधिनित्रम 1942 (1947 का 14) की धारा । ७ को अनुसरम्भ में कोन्द्रीय स्वकार भारतीय रिल्ब वित निगम के अबधारित के संबद्ध निषीषकों और उनके कंपकारों में बीच अनुबंध में निर्देश औद्योगिक विवाद में केन्द्रीय सरकार औद्येतिक अधिकरण-1, दिल्ली के पंचाट (संदर्भ संख्या 10/2008) की प्रकारित करती है, जो केन्द्रीय सरकार को 30-12-2010 को नाएत हुआ आर

[सं एल-३1012/92/2006-आहं और(बी-1)] The state of the s

New Delhi, the 21st December 2010

S.O. 169.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10) 2009) of the Central Government Industrial Tribunal-cum-Labour Court-1, Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the management of Indian Railway Finance Corporation and their workman, which was received by the Central Government on 20-12-2010.

House the title and the time North-41012/92/2005 IRABAN The state of the s

ANNEXURE OF THE SECOND OF WORLD eld of Property ball divides tonate

BEFORE DR. R. K. YADAV, PRESIDING OFFICER, ST. CENTRAL COVERNMENT INDUSTRIAL TRIBLINAL NO.1 KARKARDOOMA.COURTS COMPLEX. Security at managements appropriate and management, and and

LD. NO. 10/2009

ार्किक सम्बद्धाः मृद्धिः कर्तन

Yetchder Kumar Sharmay when a subbaringlis and the S/o Shri L. N. Sharma, R/o 342, Ground Floor, India Purani, Carrolle Nayay Khand-II. Ghaziabad (U.P.)

Assessed to entrager with Workman

केपरीयक, विकास में है एक्स कर्त क्रिकेट के

The General Manager, Indian Railway Finance Corporation (IRFC), UGF, Bast Tower, N.B.C.C. Place, Control arrest the mistor Bhisham Pitameh Mangi sale I sellis word I sale is assistion. Pragati Vivar, Lodi Road, New Dollate . . Management AWARD

Professional services of M/s Hingorani M. and Company, Chartered Accountants (hereinafter referred to

as the Retainer of Moscours): were alleged by Indian Railway Flamico Comprise the Butt foresting as the Compandium) for pasparation of selection), each pristic and learness and provide balance reliant. The Periodics of Academic was under an obligation to what was a first representatives to attend the different the Composition 46 carry out jobs fulfitized aboves this integration Manifestic deputed by Ritagian of Associate, distributed below the employed to sarry out the ice in want! Mar While performing the aforesaid jobs solveled! of the minutes of Accounts he filed a well solition befole Place County be Delhi, seeking his regularisation in service of the Corporation: The 28-5-97 in line in order was granted by High Court in the favour restraining the Corporation for to dispense with the service of the classicant for substituting him with some other the son as a contract labour the furnier orders. On one of time, 1909; the Retailer of Accounts decided to withdraw the claimant from the assignment and deputed one Marswall in his place to care out lobs assigned by the Corporation. Despite that older chambers continuence visit the prefits as of the Constration. On the of June, 1999, the Comportation wrote a lotter to the charifain and advised him to come an authority letter from the Retainer of Accounts, at case he wants to work for the latter. A condempt perhitin was Thereby the claiming being High Court of Delhi, which pelition was dismissed vide order dated 14-11-99. Subsequently, will perturn was disposed of with personal to the chamble to morotely an authority under the Industrial Disputes Act 1947. (In and the west of 1999 become the Court of Dolphan shirthen

May 52, an order was reven to the heart Course was a class of the course the Conciliation, Officer in the year, 2006, who initiated conciliation proceedings over the matter. The Corporation demured the claim. Since consiliation proceedings failed a failure report was submitted by the Conciliation Officer. before the appropriate Government. On consideration of the said failure report, the appropriate Government declined to make a reference of the dispute hide its order dated 28-12-06 line of this box orotes the norming to com

The many Artest and the months were the command before the appropriate Government. Review Belliton was considered by the appropriate 20 well ment and Concurrent Officer was constituted over the matter. The appropriate Covernment decided to make a relatifice of the dispute for activities these. Accordingly the appropriate Government referred the dispute to this tribuilly for adjudication, vide order No. L-41012/92/2006-IR(B-1). New Dente, dated that of warch, 2008, who the following terms: Khumia, Granp General Manager. When one wrould like or

Whether the formination of the acresses of Sheir to an Material of Kurans and following the management of the IR.F.C. Jed is legal for and in states all make miner relief the mortman concerned in suitable to and from? which date?"

- the appropriate Government described was instead wherein the appropriate Government described was initially it took a decision to decision to decision be retrieved but an initially it took a decision to decision with the Conciliation Officer interpolate expedient to refer the dispute for adjudication. In that oprigendum the appropriate Government detect 24.3-2008. Subsequent corriger dum detects 5-08 was billed by the appropriate Government wherein the said data was exprected as 10th of March, 2008, in citier of these corriger dams no correction as to the terms of reference was made.
- 5. Claim statement was fried by the chamant pleading that he was employed by the Corporation in April, 1997 as an Assistant in Bond Section. Since the date of his employment, he has been signing attendance register of the Corporation and was paid for overtime work. However, his wages were being paid through a Sham contractor, which wages were only half of the wages of group 'D' employees. He worked with the Corporation honestly and diligently. He was a workman within the meaning of clause (s) of Section 2 of the Act. He had put in 240 days service in each calendar year. No appointment letter and wage slips were issued to him. He along with others, who were similarly placed, made representation to the Corporation and other various authorities for regularization of his services. Despite receipt of his representation neither his services were regularized nor he was promoted legal benefits. He was constrained to file a writ petition being W.P. (C) No. 3517 of 1999 before High Court of Delhi, On 28th of May, 99, an order was passed by the High Court directing the Corporation not to dispense with his services, which order was violated what he was not allowed to join his duties w. f. 4-6-99. He flied a consider before S. H. O. P. S. R. K. Puram, Now Celhi. Actas of the Corporation is violative of the provisions of Section 2. 4-25-G and 25-H of the Act. of the Act. SOFFE AS DECEMBER
- 6. Claimant asserts that the job performed by him was of permanent nature and still available with the Corporation. Sanctioned posts are still available with the Corporation and services of his junior have been regularized. Working as casual or temperary continuously amount to unfair labour practice. He is out of job since the date of termination of his services. Reclaims reinstatement with continuity and full back wages, besides regularization of his job
- 7. The Corporation filed its written statement running into 43 pages, supported by affidavirof Ms. Neera Khuntia, Group General Manager. When one would like to take an exercise of reading written statement submitted by the Corporation, he would find himself lost in quibbles of linguistic jargons; instead of getting facts out of it. Surprisingly Ms. Khuntu was lost in wilderness, when

- she went on to narrate facts in the written statement, so filed. This practice of the Corporation is deprecated.
- 8. Out of contents of the written statement, it could be made out that the Corporation asserts that the claimant was an employee of the Retainer of Accounts, and not its employee. It has been projected that the Comperation is not an industry, and the claimant is not a workman. Emphasis have been laid on discrepent facts pleaded in the claim statement and the Corporation agitates that the claimant asserts at one place that he was Assistant while at the other place he projects that he was working as Accountant. Had he been in the employment of the Corporation, he would have been aware of his designation. Filing of writ petition by the claimant before High Court of Delhi has not been disputed. Interim order dated 28-5-99 is also admitted. However, the Corporation projects that the claimant was withdrawn from the job by the Retainer of Accounts on 3rd of June, 99 and on 7th of June, 99 a letter was written to him by the Corporation in that regard. He filed a contempt petition before High Court of Delhi, which was rejected on 11-11-99. Corporation projects that writ petition was also dismissed and as such order passed by High Court of Delhi operates as resindicata. It went on to agitate that in the claim statement, the claimant speaks that his wages were paid through a sham contractor, but he opts not to disclose name of the Contractor. Since the claimant was an employee of Retainer of Accounts, the Corporation was not aware whether he worked honestly or diligently or otherwise. He was never under disciplinary control and authority of the Corporation. There was no occasion for the Corporation to form an opinion about his work and conduct. It has been agitated that since the claimant was not an employee of the Corporation, he cannot assert that juniors to him were regularized. Onus lies on the claimant to prove that he was employee of the Corporation. In his claim statement he is trying to take advantage of his own wrong, asserts the Corporation. It has been projected that the claim statement is devoid of merits, hence it may be rejected.
 - 9. Out of pleadings, following issues were settled:
 - Whether there was any relationship of employer and employee between the parties?
 - 2. As in terms of reference.
 - 3. Relief.
- 10. Claimant has examined himself in support of his claim. Ms. Neera Khuntia tendered her affidavit to establish defence of the Corporation. She was cross examined at length on behalf of the claimant. No other witness was examined by either of the parties.
- 11. Arguments were heard at the bar. Shri B. S. Rana, authorised representative, advanced arguments on behalf

of the claimant. Shri R. P. Kapoor, authorised representative, raised his submissions on behalf of the Corporation. Written arguments were also filed by Shri Kapoor. I have given my careful considerations to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows:

Issue No. 1.

- 12. Claimant deposed that he joined services with Indian Railway Finance Corporation in April, 1997 as an Accountant. His attendance was marked by Shri S. N. Sharma, Administrative Officer. His salary was paid through cheque. Conveyance charges were also paid to him, Payment vouchers in that regard are Ex. WW2/1 to Ex. WW1/7. As an Accountant he used to prepare vouchers, cheques and balance sheets etc. He used to perform all work relating to accounts. He used to report to Manager Accounts. All facilities, available to a regular employee. were available to him. Manager Accounts used to sanction his leaves. No appointment letter was issued. He made a demand for an appointment letter and regularization of his services, vide letters Ex. WW1/8 to Ex. WW1/15. On 28-5-99 he was not allowed to join his duties. He made a complaint in this regard to police, which is Ex. WW1/16. Shri M. Kanan joined services after his termination, whose services have been regularized.
- 13. Smt. Neera Khuntia swears in her affidavit Ex. MW1/A that the claimant was never an employee of the Corporation. He claimed salary from his employer, namely, M/s Hingorani M and Co. He was withdrawn by M/s Hingorani M. and Co. to perform job for the Corporation, vide its letter dated 3-6-99. The claimant has suppressed facts in this regard. He was working in the premises of the Corporation as a representative of M/s Hingorani M. and Co. Retainer of Accounts and Finance, appointed by the Corporation.
- 14. Rival facts testified by the claimant and Ms. Neera Khuntia are to be appreciated, in order to ascertain. as to whether relationship of employer and employee was ever established between the parties; The relationship of employer and employee is constituted by a contract. express or implied between employer and employee. A contract of service is one in which a person undertakes to serve another and to obey his reasonable orders within the scope of the duty undertaken. A contract of employment may be inferred from the conduct which goes to show that such a contract was intended although never expressed and when there has, in fact, been employment of the kind usually performed by the employees. Any such inference, however, is open to rebuttal as by showing that the relation between the parties concerned was on a charitable footing or the parties were relations or partners or were directors of a limited company which employed no

- staff. While the employee, at the time, when his services were engaged, need not have known the identity of his employer, there must have been some act or contract by which the parties recognized one another as manner or servant.
- 15. When claimant was subjected to cross examination, he concedes that representation Ex. WW1/8 to Ex. WW1/15 nowhere specify his claim nor his signature appear thereon. He further concedes that a writ petition bearing No. CWP 3517 of 1999 was filed by him before High Court of Delhi for regularization of his survices. He was questioned to explain as to who (sham compactor) used to pay his salary, which proposition was availed by him. However, he tried to assert that he never hothered to notice as to who has drawn absource of his subject in his favour. Therefore, it is emerging over the record that claiment had intrationally concealed material facts to the effect that cheques of his splitty, were being issued by M/s. Hingorani M and Co., the Retainer of Accounts, appointed by the Corporation, bits. Khantis pullskin that the claimant was working with Med Lingarant M. and Co. and not with the Corporation. Our of facts projected by these two witnesses, it is evident that the changes was paid his wages by M/s. Hingoran M. and Co., who was Retainer of Accounts for the Corporation. Claiment concedes that no apprintment letter was ever issued in his favour. He was withdrawn from the assignment by M/s. Hingorani M. and Co., which fact is ovident out of letter dated 3-6-99 proved as Ex. MW1/2
- 16. A person acting under the direction of another. is obviously employed by the person under whose directions he is performing the job Legal computation of word "employed" is well known. It connotes existence of relationship of muster and servant between the employer and the employee. In other words, it involves the pencept of employment under a contract of service. The word "employed" does not necessarily mean comployed in comusiwork. It may merely mean "keeping (him) in the service". Where A agreed with B that he, as rolicitor of the comment. should receive and accept a salary at Rs. 1200 per samura. instead of sending hint an annual bill of costs, and world act for the company for that salary, in all matters connected with the company, with certain exceptions, it may be pertinent to determine what are the obligations upon the parties to such an agreement. It appears that for a year, at least, the attorney would be bound to transact the general business of the company for that salary only, and Amenid be bound for the same period at least to keep him in his retainer and employment as an attorney and soliciter though A might have no work to do. Sinday, medical advisors may be employed at a salary to be ready in date of illness, members of theatrical establishments in case their labours should be needed household servalus in performance of their duty when their masters with in these and other similar cases. The routingments of liceal survice

is distinct from the amploying the party imploying. The cost which district the party imploying the question as to whether adjusted his employed in a commercial catablishment as imported his wholly or principally employed in connection with the business of the said establishment. As soon as it is shown that the employment of the person is chart wholly or principally connected with the business of the said establishment. As soon as it is shown that the employment of the person is chart wholly or principally connected with the business of the establishment, he falls within the definition of an embloyed. Reservate can be made to T. De chart.

1 2 1 A pelsan will be a language of the is employed for wager in dr incrommention guitle the work of an adabil traent or Missischrecthy duritorist in the principal amployees the many small suffer in the state of a continuous to or connected with the week of the attablishment or if he is ampleyed by or through an insmediate employer on the promises of the establishment arounds services are temporarily deut be town this to the principal employer by the person with wheal the person with severe are so iantor letter him his ballenished alto when het is frervice. The termi diso included boy person imployed forwages connected with the administration of the establishment or any party disparaments in bedieve history of with the purchase of raw insterial formation the characteristics of sale of the products of the establishment Reference on be made to Gnanambiles: Miller Limited (1904 (2) 11:1530): The word "employees the willing by south any person wholly or mainly employed ab mages of his elliptoyees in or in connection with an inches business considering carried on by him. Existence of a jural resistancian of master and serving is the master and market of the constant of the constant of the contract of the cont

the Apix Observated distribution in the provide of has at least the large to be supplied to the provide of the

the inches inches in the last leading representative referred above. It would be referred the season of the property of the season of the seas

him. It is admitted fact that the claimant preferred a writ before the High Court of Delhi seeking regularization of his service with the Corporation. Corporation asserted that claimant was getting his salary from M/s. Hingorani M. and Co., the retainer of Accounts. Though an interim order was passed in that writ petition but subsequently it came to be dismissed. Therefore, it is evident that in the writ petition the claimant failed to establish that he was an employee of the Corporation.

20. Though the claimant could not show that he was ever appointed by the Corporation, yet a peculiar fact has been brought over the record by him. He had proved documents Ex. WW1/1 to Ex. WW1/7. These documents are the applications submitted by the claimant to the Corporation for release of his travelling allowance for the month of July, 97, January, April, May, June and July, 98 Ex. WW1/7 is an application submitted by the claimant for release of expenses incurred by him in performance of his duties with the Corporation. When perused it emerged over the record that he claimed traveling allowance from his residence to the office of the Corporation and sometimes from the office of the Corporation to his residence. His application was considered and granted. A sum of Rs. 1520 was ordered to be released in his favour by the Corporation. In the same manner his applications Ex. WW1/5, Ex. WW1/2, Ex. WW1/1, Ex. WW1/4 and Ex. WW 1/3 were granted for the month of January, April, May, June and July, 98 Consequently it is evident that for the period referred above the Corporation sanctioned traveling allowance, incurred by the claimant for attending to his duties with the Corporation. DO tero Salisarevelli ...

21. Ouestion for consideration comes as to in what capacity the Corporation sanctioned travelling allowance, for the period referred above in favour of the claimant. Whether he could have claimed those allowances from the Corporation, while being an employee of Retainer of Accounts? Without being an employee of the Corporation, the claimant cannot put forward his claim for release of travelling allowance in his favour. By granting applications of the claimant, the Corporation conceded that there existed some relationship between it and the claimant. What were those relations is a proposition which the Corporation ought to have answered. The Corporation simply asserts, that he was an employee of the Retainer of Accounts, which assertion stands brushed aside by the fact that Corporation opted to release travelling allowance in favour of the claimant. Therefore, the documents referred above make it clear that impliedly the Corporation established relationship of employer and employee between it and the claimant control visual but the

22. When relationship of employee and employer was established by the Corporation with the chainant, in that situation Hingorani M. and Co. was in a capacity of a jurisdic person, who was interposed in between by the

Corporation. Arrangement made by the Corporation in that regard cannot be termed as genuine. It was sham, bogus, ruse or camouflage, with a view to avoid legal relationship between the parties and to dany legal rights of the claimant. Therefore, it is concluded that relationship of employer and employee were there between the Corporation and the claimant, since July, 1997. The claimant has been able to tilt the scale in his favour by proving the documents referred above. Consequently it is announced that relationship of employer and employee were there between the parties. Issue is, therefore, asswered in favour of the claimant and against the Corporation.

Issue No. 2.

23. It was pleaded on behalf of the Corporation that it is not an industry within the meaning of clause (j) of Section 2 of the Act. The claimant disputes that the Corporation is not an industry, as defined by the Act. To appreciate submissions of rival parties, it is expedient to have a glance on definition of word "industry", provided in clause (j) of Section 2 of the Act, which definition is extracted thus:

"Industry" means any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen."

- 24. The definition of "industry" is both exhaustive and inclusive. It is in two parts. The first part says that it "means any business, trade, undertaking, manufacture or calling of employers" and then goes to say that it "includes any calling, service, employment, handicraft or industrial occupation or avocation of workman." Thus one part defined it from the stand point of the employer, and the other part from the stand point of the employees. The first part of the definition gives the statutory meaning of the industry, whereas the second part deliberately refers to several other items of industry and bring them in the definition in an inclusive way. The first part of the definition determines any industry by reference to occupation of employers in respect of certain activities viz. business, trade, undertaking, manufacture or calling. The second part views the matter from the angle of employees and is designed to include something more in what the term primarily denotes. By this part of the definition any calling, employment, handicraft, industrial occupation or avocation of workmen is included in the concept of industry. This part gives extended connecttion.
- 25. Gloss was put on the definition of word "industry" by the High Courts and the Apex Court time and again. The question as to what is "industry" has continuously baffled and perplexed the courts. A graph of the cases decided by the Apex Court, if plotted on the background of the expression used in two parts of the

definition of "industry", would represent rather a sig may copye. There have been repleted position removes the state rather volatile area of less. The desided cases show that the efforts were made to evolve first by reflectance to characteristics regarded as described for conscitating an advivity as in an "industry". Various cases would show that the Apex Court hat bette guided more by suspirious reflect them a strictly analytical approach. Most of the decision have contained atoms, the engreening "hadestaking" used in the definition. In Rengalities Where Supply and Severage Hourid (1978 Lab. LC. 778) the department while wide words encountered in the definition and frincelessly as another by closes (i) of Besties 2 of the Act. It would be expected to reproduce the authorizative princelessly decision, landled device by Rodice Brishns for which are extracted their

- "I. "Industry" as defined in \$.3() and explosions in Benegii (AIR 1958 S. C. 58) has a wide import.
 - (a) Where (i) systematic activity, (ii) organized by Co-operation between employer and desplayer (the direct and subspectal obsecut is obtained with direct and subspectal obsecut is obtained by the production and/or distribution of goods and services calculated to asterly branch stages and wholes (not apirious or religious but inclusive of momental things or services granted to obtained blies i.e. making, on a large enals proposed or foods) (grant facts, there is an "industry" in that enterprise.
 - (b) Absouce of profit metive or gainful objective is irrelevant, he the venture in the public, clint, all vate or falter sector.
 - (c) The true focus is functional and the decisive test is the matter of the activity with special confilms on the employer comployer relations.
 - (d) If the organization is a trade or business it does not cease to be one because of philasthropy animating the undertaking.
- II. Although Section 2(j) maps wants of the widest amplitude in its two limbs, the remeaning cannot be magnified to overreach itself.
 - (a) "Undertaking" are it suffer a contextual and associational finishings as explained in Baserjee and in this judgment, so also, service, nathing and the blue. This yields the indicator, that all organizations.

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activity passessing the triple elements in 1(superity attaough not trade or business, may still be 'industry' provided the nature of activity, viz. the amployer employee basis, bears resembliance to what we find in trade or business. This takes into the fold 'industry' undertaking, calling and services, advantages, "analogous to the carrying on the wade or business". All features, ellion than the methodology of carrying on the activity viz in organizing the co-operation between employers and employee, may be dissimilar. If these not matter, if on the employers through there is analogy.

- III. Application of these guidelines should not short of their legical reach by invocation of creeds, quits or inner sense of incongruity or only sense of indivition for or resultant of the economic operations. The ideology of the Act being industrial neace, regulation and resolution of industrial disputes between employer and warmen, the range of their stantory ideology thus inform the reach of the stantory ideology thus inform the reach of the stantory ideology thus inform the reach of the stantory ideology thus inform the reach of the stantory ideology thus inform the reach of the stantory ideology thus inform the reach of
 - (a) The consequences are (i) profession, (ii) clabs (iii) indirection institutions, (iv) compositives, (v) research institutes, (vi) charitable projects and (vii) other kindored udenstures, if they fulfil the triple tests hand in 1(supra), cannot be strangual them see scope of Section 2(j).
 - (b) A restricted ontegory of professions, calls, to calculate and even gurukulas and little research labs may qualify for exemption if in simple ventures, autotantially, and going by the dominant danne criterion, substantively no employees are entertained but in menial matters, pair ginal employees are hired without destroying the non amployee character of the unit.
 - (c) If, in a pious or altruistic mission many employ themselves, free or for small honoraria or like return, mainly drawn by sharing in the purpose or cause, such as is wyest polymering to run a free legal services chale or doctors serving in their against hours in a free medical centre or ashamites working at the heading of the holiness, divinity or like

central personality, and the services are supplied free or at nominal cost and those who serve are not engaged for remuneration or on the basis of master and servant relationship, then, the institution is not an industry even if stray servants, manual or technical, are hired. Such eleemosynary or like undertakings alone are exempt not other generosity, compassion, developmental passion or project.

IV. The dominant nature test:

- Where a complex of activities, some of which qualify for exemption, other not, involves employees on the total undertaking, some of whom are not "workmen" as in the University of Delhi case (AIR 1963 S.C. 1873) or some departments are not productive of goods and services if isolated, even then, the predominant nature of the services and the integrated nature of the departments as explained in the Corporation of Nagpur (AIR 1960 S. C. 657) will be the true test. The whole undertaking will be industry although those who are not "workmen" by definition may not benefit by the status.
- (b) Notwithstanding the previous clauses, sovereign functions, strictly understood (alone) qualify for exemption, not the welfare activities or economic adventures undertaking by govt. or statutory bodies.
- (c) Even in department discharging sovereign functions, if there are units which are industries and they are substantially severable; then they can be considered to come within S.2(j).
- (d) Constitutional and competently enacted legislative provisions may remove from the scope of the all categories which otherwsie may be covered thereby.
- We overrule Safdarjung (AIR 1970 S. C. 1407), Solicitors, case (AIR 1962 S. C. 1080), Gýmkhana (AIR 1968 S. C. 554), Delhí university (AIR 1963 S. C. 1873), Dhanraj Giriji Hospital (AIR 1975 SC 2032) and other rulings whose ratio runs counter to the principles enunciated above, and the Hospital Mazdoor Sabha (AIR 1960 SC 610) is hereby rehabilitated."

- 26. Principles laid down in Bangalore Water Supply and Sewerage Board (supra) hold ground. Therefore, the controversy raised will be adjudicated in view of the law laid by the Apex Court in the precedent referred above. The Corporation agitates that it is not an Industry. The view point held by the Corporation is that no profit motive activities are being carried on by it. No business is being run, hence the Corporation cannot be termed as an "industry". Except the facts referred above, the Corporation nowhere projects any other factors to lay emphasis on the proposition that it is not an 'industry'. Contra to it the claimant agitates that the Corporation is an 'industry'.
- 27. In Baroda Borough Municipality [1957 (1) LLJ 8] the Apex Court held that though municipal activity could not be truly regarded as business or trade, yet it would fall within the scope of expression 'undertaking'. Non-profit undertaking of the municipality were included in the concept of 'industry' even if there is no private enterprise. The court reiterated that branches of work that can be regarded as analogous to carrying out of a trade or business would fail within the meaning of 'industry' in clause (i) of Section 2 of the Act. In reaching the decision, the Apex Court relied precedent in D. N. Banerji (supra) and ruled that it would be sufficient that the activity is an 'undertaking' analogous to the carrying on of a trade or business and involves cooperation between the employers and employees. This result was reached by extending the meaning of the expression 'undertaking' to cover adventures not strictly trade or business but 'objects very similar'. Reference can also be made to Madras Gymldiana Club Employees' Union (supra).
- 28. In Indian Standard Institute [1966 (1) LLJ 33)] the Apex Court suggested that in order to be recognized as an undertaking analogous to trade or business, the activity must be an economical activity in the sense that it is productive of material goods or material services. In Bangalore Water Supply and Sewerage Board (supra), the Apex Court laid down that an activity systematically or habitually undertaken for the production or distribution of goods for rendering material services to the community at large or a part of such community with the help of employees is an undertaking. An industry thus was said to involve cooperation between the employer and employee for the object of satisfying material human needs but not for oneself nor for pleasure nor necessity for profit. Lack of business and profit motive or capital investment would not take out an activity from the sweep of 'industry'. If other conditions are satisfied, it is the activity in question which attracts the definition and the absence of investment of any capital or the fact that the activity is conducted for profit motive or not, would not make material difference. Conversely mere existence of profit moltive will not necessarily convert the activity into "industry" if other tests are not satisfied.

- 29. As detailed above, the Companion of of not being an includery starrely on the count that we profit mixive activities were being carried on Lack of business. passit motive or capital investment would not take out the Corporation from the sweep of definition of word 'industry', since other standards laid by the Apex Court in Bangalore Water Supply and Sowerage Disposal Board (supra) stand satisfied. The activities carried on by the Corporation are systematic for tendering malerial services. to the community at large, with the help of its employees. Therefore, absence of profit motive will not take out the activities of the 'corporation' from the ambit of the definition of an 'industry' given in clause (j) of Section 2 of the Act. It is concluded that the Corporation is an 'indistry' within the meaning of clause (i) of Section 2 of the Act and contention raised in that regard is unfounded.
- 30. The Corporation egitates that decision of the High Court on the writ petition operates as real-judicate, which contention is rebutted by the claimant. Question for consideration comes as to whether adjudication by the High Court in writ petition operates as res-judicata. For an answer, the Tritumal has to consider as to whether principles of res-judicata can be invoked. It is well-soutled that entire Code of Civil Procedure, 1908 (In shortine Code) is not applicable to an industrial adjudication, yet principles of res-judicata faid down under section 11 of the Code are applicable wherever possible. In Straw Board Manufacturing Company Ltd. [1974 (1) LL. 1492] the Apex Court observed:
 - "This is so since multiplicity of litigation, agitation and re-agitation of the same dispute at issue between the same employer and his employers will not be conducive to industrial peace which is principle object of all labour legislation bearing on industrial adjudication but in holding that the principles of res-judicata is applicable to a particular case, operating consideration is whether a matter in dispute in a subsequent case had mariser been directly and substantially in issue between the sume purifies and the same has been heard and fully decided by the Tribunal. The earlier question of issue must be relevant and germane in determining quantion of res-judicata in subsequent proceedings. The real character of the controversy between the parties is the determining factor and in complex and manifold one relation between the labour and capital giving rise to diverse kind of ruptures of varying and no cast. m rule can be laid down. Some dist of whatever shade of magnitude may have to be borne in mind in compliance of the principles of resjudicata in industrial adjudication in contraventius to civil proceedings."
- 31. In Hindusten Liver Ltd. (1984 Lab LG 276) the Apex Court laid that "though this is highly teclinical

concept of aivil justice may be least in precise confined limits in the field of industrial industrial which must as far as possible to help from home could sechnicalities which the resolution is included disputes. It can safely be said that principle sublinguished industrial disputes of a scattle may attempt at transacting industrial disputes repeatedly in defined of apparative settlements and awards.

32. In Princip Cooperative Annie Ltd. [1975 (II] LLJ 371] the Apex Court unbedding will like will like of the application of principles of eas, justicable to an issue raised in subsequent productions since testion 33(C) (2) of the Act which had already note disclaid by a competent labour spart to like readed a surface industrial dispute. In Bombay Gas Court had gone to the catalog of over applying principles of constructive as indicate. Passiver Alagicia warni, speaking for the court than weld:

"The doctrine of resignificata is a wholesome one which is applicable and merely to matters covered by the provinces of the Bedle of Civil Procedure but to all librations. It approved on the principle that there thought by no implectable. It litigation and whetever chains and definites are open to parties should effect put the work at the same time, provided no confinious is likely to arise by so putting forward all such the likely to arise by so putting forward all such the likely to arise by so putting forward all such the likely to a likely to a likely to a likely to a likely to be a likely to a likely to be a likely to a likely to be a lik

33. In Manthai Kampir Sabha [1976 (II) LLJ 186], commentative in the source on fustice Krishna Iyer observed that "It is clear" as the sover as the above ruling stands, that relatively seems to state of res-judicata". The court is a source of res-judicata to industrial line where a potential by special methodology of constitution, adjusticative and considerations of proceeds instands foliation, entering objective bargaining and pragmate foliation seems collective bargaining and pragmate foliation seed in sufficient contests, specific causes of action and findings in particular issues", but Bombey Gas Company Lat. the (spars) was distinguished on the basis of the observations in that case that "If the workers are disconsisted with act of the items in respect of which that chair in the translation of the items in respect to mean that "If a final dispute had been raised, after terminating a prior award, so has of attracting principles of res-judicate, the issue is able two proceedings must be common. The seed character of controversy between the parties is the desceptions. Supply, An award relating to termination of services of a workname, after being given the effect to done on the source and controversy between the parties is the desceptions. The sward relating to termination of services of a workname, after being given the effect to done on the source and controversy between the parties is the desceptions.

becomes final and shall not cease to be operative after lapse of one year. It cannot be terminated by a notice under Sub-section (6) of Section 19 of the Act. That dispute cannot be referred to adjudication subsequently. The principles of res-judicata, as enunciated in Burn and Company Ltd. [1957 (I) LLJ 226] would apply to such a case with full force.

34. The Corporation had relied order dated 11-11-99 passed by the High Court on contempt petition. moved by the claimant. Order which resulted in disposal of the writ petition has not been filed by either of the parties. It seems that when contempt petition was dismissed by High Court of Delhi, the claimant opted not to pursue the writ petition. His writ petition came to be dismissed with liberty to him to approach the authorities under the Act. It emerges that issues were left open to be adjudicated by this Tribunal, when High Court disposed of the writ petition filed by the claimant. Under these circumstances, it is evident that the writ petition had not resulted into adjudication of the controversy on merits. Therefore, disposal of the writ petition by the High Court of Delhi will not stop the claimant to agitate issues before this Tribunal. Contention advanced by the Corporation is discarded on that issue too.

35. Order Ex. WW1/M2, passed by High Court of Delhi on 11th of November, 1999 has been proved by the Corporation. This order was passed, disposing of contempt petition moved by the claimant. As detailed above an interim order was passed and during continuance of the said order services of the claimant were dispensed with, by Retainer of Account, at the instance of the Corporation. As detailed in the order, letter dated 7th of June, 1990 was written by the Corporation to the claimant, which reads as under:

"It is noticed that you are sitting in the IRFC premises without permission, only regular employees of Indian Railway Finance Corporation (IRFC) and the persons deputed by and belonging to agencies like Registrars, Retainers etc. for doing their work authorised by IRFC, are permitted to sit and work in the IREC premises. We have been informed by your employer i.e. M/s Hingorani M and Co. (HMC) who are also IRFC's Retainers for Accounts, that you have been withdrawn from your present'assignment with IRFC and that they would be requiring your services in their office, IRFC is a financial institution dealing with security documents. You are, therefore, not permitted to sit in the IRFC premises since you are not authorised by M/s H.M.C. to handle any work.

While you were asked to leave the premises, there being no violation of Hon'ble High Court's orders, you threatened that you would not leave the

premises unless you are given a letter in writing to do so as advised by your lawyer. You are however, informed that IRFC shall present its case and shall abide by all the directions of the Court.

A detailed letter is being given to you so as to enable you to appreciate the position and to maintain discipline in the office premises of IRFC as otherwise, there may be wrong signals. Maintaining discipline in the office is the foremost duty of every management. This is communicated to you, without projudice to the case of IRFC in the writ petition No. 3517 of 1999 and CMP No. 7166/99. While we are not allowing you to come to this office, it should not be taken to mean that your services are dispensed with, because you have never been in the services of the IRFC.

If M/s HMC want you to work for them in IRFC, please bring the authority letter from them."

36. The Corporation had proved letter Ex. MW1/2 written by the Retainer of Accounts to the claimant. Ex MW1/2 highlights that the Retainer of Accounts took a decision to withdraw the claimant from his assignment with the Corporation. He was advised to hand over all relevant papers and files to Ms. Swati and report back to the Company of Retainer of Accounts immediately. Issuance of this letter could raise an uprour, which led the claiment to move contempt petition before High Court of Delhi and subsequently the authorities under the Act for making a reference of the dispute to this Tribinal. Whether it was within the competence of the Retainer of Accounts to withdraw the claimant from his assignment with the Corporation, when Corporation had established direct relationship of employer and employee with him? Answer lies in negative. Retainer of Accounts was not competent to withdraw him from his assignment with the Corporation, when the Corporation opted to establish direct relationship of employer and employee between the parties. Therefore, letter Ex. MW1/2 was an instrument which was initiated at the instance of the Corporation. The claimant opted to visit premises of the Corporation for performance of his duties and that proposition led the Corporation to write letter referred above. Consequently it is evident that the Corporation was behind the curtain when Ex. MW1/2 was written by Retainer of Accounts to the claimant. In fact and reality it was the Corporation who snapped relationship of employer and employee between it and the claimant.

37. Claimant unfolds in his testimony that he joined service with the Corporation in April, 97 and served them continuously till May, 1999. He amounced that on 28th of May, 99 he was not allowed to join his duties. When his testimony was purified by an ordeal of cross examination, the Corporation simply took a stand that he was an

employee of the Retainer of Accounts. As distailed shove, the Corporation antiblished direct vellarisately of angles yeared employee with the classical angles of July \$7. She claiment could highlight that he record the Computation continuously (ill 28th of May, 1995. Plantafana, it is a flating that since July, 97 till 28-5-99 this channels was it would not service with the Corporation.

38. "Continuous Service" has been defined by Section 25-B of the Act. Under sub-section (1) of the said section, "continuous service for a period" may comprise of two period viz. (i) uninterrupted service, and (ii) interrupted service on account of (a) siglance. (b) authorized leave, (c) an accident, (d) a strike with logal, (e) a lock-out, and (f) a consution of week that is not due to any fault on the part of the worksman, shall be included in the "continuous service." Set weeking 12) of the said section introduces a fiction to the officer than even if a workenin is not in "continuous service" within the meaning of clause (1) for a paried of one year or six worsts. he shall be deemed to an constant one service for historical under an employer if he has actually worked for the days specified in clauses (a) and (b) thereof. In Villey Klauser Majoo (1968 Lab. I.C. 1180) it was held that our year's period contemplated by sub-section (2) Patter of measure and if charing that unit of measure die pushed of service actually rendered by the workships if 246 days. then he can be considered to have sendered one year's continuous service for the purpose of the section. The ides is that if within a unit period of one your a pursuit had put in at least 240 days of service, then he must get the benefit conferred by the Act.

39. An enquiry has to be made to find our wholier the workman has actually worked for not less than 240 days during a period of 12 calendar months manufacturely preceding the retrenchment. As unfolded by the Editional he rendered continuous service for 240 flags with the Corporation 12 months preceding the date when relationship of employer and employee were additional. Consequently it is evident that the claimant has bein state to establish that he rendred continuous service for score than a year with the Corporation.

40: At the cost of repairition, it is said that Entender Kumar was retrenched on 22-5-99. He was degrated by the Corporation in July, 1997. The Corporation no where chains that his service was interrupted for any reasons educations than those detailed in sub-section (1) of Scotlan 25B of the Act. He rendered more than 240 days empiricular to provide during the period of 12 calendar mentiles intimediately providing the date of his retreatment viz. 28th of leavy, 95, jets case is covered within the definition of "continuous service" as enacted in Section 25-B of the Act. Therefore, it is appropriate to conclude that Yutender Engage continuous service of three years with the meaningstant.

41. Shri Yatender Kumar asserts that he was employed as an Accountant by the miningement. On the other hand was the Accountant by the miningement. On the other hand was an Accountant, Shir went on to depose that since Yatender Kumar was working with M/s Hingorani M. and Co. as an Accountant for the Corporation, who were Retainers for Accounts from 1997 till 3-6-1999, hence lie is not an employee of the Corporation. Evidence was appreciated while adjudicating the ficts in proceding sections and it was held that though Yatender Kumar was employed as an Accountant with M/s Hingorani M. and Co., ye direct relationship of employer that employee were established, as automated above the performed functions of an Accountant for more than 2 years.

2. Shri Yahander Komar projects that his services were dispensed with on 28-5-99. Ms. Khuntia nowhere presents that notice or pay in light thereof was given to Yatender Kumar, while terminating his services. Retrenchment compensation was not paid to him. The management was under an obligation to pay him compensation at the time of reprenchment. Payment of retrendment compensation is a condition precedent to a valid order of retrenchment Precodents in Bombay Union of Journalists case [1964(1)] LLJ 351], Adaishwar Laai (1970 Lab. I.C. 936) and B. M. Gupta [1979 (1) LLJ 168] announce that subsequent payment of compensation can not validate an invalid order of retroughment. As retrenchment compensation was not pain to Yelender Kumar, consequently action of the management falls within the mischief of Section 23-F of the Act.

43. It is not the case of the Corporation that when service of the claimant were dispensed with a notice for a period of one month was served upon him or he was paid in lieu thereof. No evidence him then brought over the record that retremelieurit companisation was paid to the claimant, when his services were dispensed with. On this the claimant asserts that on 25 3-97 he was not allowed to join his duties and letter dated 7% of June, 99 was written to him by the Corporation. In detter Ex. WW1/M2, High Court had detailed the contents of the letter written by the claimant to the Corporation on 15-6-99, which are reproduced thus:

Re : Your Letter No. IRFC/ADMN, DATED :

am in receipt of your above mentioned letter lirecting mentito sit in the IRFC premises.

At the outset I would like to point out that your bove mentioned letter is in clear and categories is lated on of the orders of the Him ble High Court of Delhi dated 28-3-99 which orders you not to ispense with my services. However, by not sermitting to sit in the IRPC premises you are latently and purposely floating the orders of the Hon'ble Delhi High Court.

In the said letter you have mentioned that only regular employees are entitled to sit in the IRFC premises. You forget that CW 3517/99 filed by me is for regularization of my services. In any event you have been restrained from terminating my services by the Hon'ble Delhi High Court.

I would also like to once again reiterate that as pointed out by me in CW 3517/99 my employers are not M/s. Hingorani and Co. but IRFC. You are simply trying to circumvent your contractual and legal obligations towards your temporary employees.

In this connection you have lodged a false and fraudulent FIR against me at the R. K. Puram Police Station alleging that I have threatened to hurt and bodily harm some employees of IRFC. The local police was also called in order to harass and intimidate me. "Subsequently on 9-6-99 the local police took me. Shri S. K. Rathi and Shri Rajinder Prasad (all petitioners before the Delhi High Court) to the Police Station R. K. Puram from the I.R. F.C. office. At your instance the local Police have told us that if we dare enter the IRFC office they would not only harm us bodily but also implicate us in false cases.

I have also been informed by my colleagues in IRFC that you are planning to further implicate me in fraudulent police cases. Your only objective in doing so is to make me withdraw CW 3517/99 filed by me against IRFC. You will therefore go to any length to circumvent the orders of the Hon'ble Defai High Court.

I, therefore, call upon you to withdraw your letter dated 7-6-99 with immediate effect failing which I shall have no option left but to approach the Hon'ble Delhi High court against you for committing contempt of Court. You are willfully disobeying the order of the Hon'ble Delhi High Court dated 28-5-99 passed on CW 3517/99 and are, therefore, liable to be punished for the same."

Therefore, it is emerging over the record that neither notice nor pay in lieu thereof nor retrenchment compensation was paid to the claimant by the Corporation, when his services were dispensed with on 28th of May, 99. Consequently it is evident that retenchment of the claimant is violative of the provisions of Section 25-F of the Act.

44. When services of the claimant were retrenched in violation of the provisions of Section 25-F of the Act, he is entitled to reinstatement in service. Shri Kapur argued that Corporation is a Government of India Undertaking, which has rules of recruitment. According to him, when claimant was engaged in violation of rules of recruitment, he is not entitled to reinstatement of service, since it would

amount to abrogation of those rules. Shri Rana presents that when Mr. M. Kannan joined service of the Corporation after termination of services of the claimant and his services have been regularized, it amounts to violation of provisions of Section 25-H. of the Act, which casts an obligation on the Corporation to give an opportunity to the claimant for reemployment, as and when it propose to employ some one. He presents that the said legal obligation was violated by the Corporation. In her testimony Ms. Khuntia does not dispute that Shri M. Kannon is an employee of the Corporation. No issues were raised on the ground that Shri Kannon was ensaged after termination of the services of the claimant and his services stands regularized. Consequently it is emerging over the record that after termination of the services of the claimant, the Corporation engaged Mr. Kannon and regularized his services also.

45. Shri Kannan, who was engaged after termination of the service of the claimant, would rank junior to the claimant. When a junior to the claimant has been regularized in the proposition it does not lie in the mouth of the Corporation to say that service of the claimant cannot be reinstated since it would amount to abrogate recruitment rules. Can management be permitted to treat equals differently? Answer lies in negative. In Bal Kishan [1990] (I) LLJ61] the Apex Court announced that no junior shall be confirmed or promoted without considering the case of his senior. The observations made by the Apex Court are reproduced thus:

"In service, there could be only one norm for conferment or promotion of persons belonging to the same cadre. No junior shall be confirmed or promoted without considering the case of his senior. Any deviation from this principle will have demoralizing effect in service apart from their being contrary to Article 16(1) of the Constitution."

46. The management projected that in Uma Devi [2006 (4) SCC 1] the Apex Court ruled that a person who entered service dehors the rules has no right for regularization or continuance in service. The principle of law laid by the Apex Court in the aforesaid case is not a matter of dispute. Whether the law so laid would allow the management to discriminate the claimants from Shri M. Kannan, who was junior to him and placed on similar padestal? Such a proposition was considered by the Apex. Court in Pooran Chandra Pandey [2007/(12) Scale 304], wherein it was announced that precedent in Uras Devi (supra) cannot be applied mechanically without considering facts of a particular case. In Uma Devi it was ruled that a person, who entered the government service dehors rules cannot claim as right for continuance or regularization of service. However, the said decision nowhere speaks of a case where regularization in service has been sought in pursuance of fundamental rights

guaranteed by Article 14 of the Constitution. In Péoran Chandra Pandey (supra) there were two sets of employees who were daily wagers, that is (1) the original concluyees of the U.P. State electricity Board and (ii) the employees of the society, who subsequently became employees of the Electricity Board. The High Court ruled that there was no ground for discriminating between the two sets of empoloyees. When issue reached the Anex Court it was ruled that since the parties were all appointed in the society before 4th of May, 1990, they cannot be denied benefit of the decision of the Electricity Board dated 28th of November, 1996, permitting regularization of the employees of the Electricity Board who were working from before 4-5-1990. It was announced that to take a contrary view would violate Article 14 of the Constitution. The courts cannot, read Uma Devi case in a manner which will make it in conflict with Article 14 of the Constitution. Thus the Ariox Court made it clear in Pooran Chandre Pandry (warre) that when regularization is to be ordered in pursuance of Article 14 of the Constitution precedent laid down in Uma Dovi will not come in between.

47. Relying law laid in Pouran Chandra Pandey (supra), it is announced that it does not lie is the mouth of the management to seek refuse in the principles of fine lift in Uma Devi with a view to deny equality to the claimant. Therefore, it is commanded that claimant, namely. Shri Yatender Kumar would be regularized in the service by the management on the same standards on which life Kanada was regularized. He would be regularized from the date when are vices of Mr. Kanaan were regularized.

48. Services of the claiment were dispensed with in violation of the provisions of Section 25-B of the Act Circumstances projected by the claimant would show justification for a command to the management to rei his services. However, it is to be considered as to who the claimant was gainfully employed in the little vening period. Though Ystender Kumar Sharma claimed that he is unemployed since the date of his termination, vet no cogent evidence was produced by him in that behilf. Consequently, this Tribunal has to a consider quantum of wages, which can be awarded to the claimant for the intervening period. No definite yardstick for measuring the quantum of wages/compensation is available. In S. S. Shetty [1957 (II) LLJ 696] the Apex Court indicated some relevant factors which an adjudicator has to take into account in computing compensation in lies of reinstatement, in the following words:

"The industrial Tribunal would have as sees to account the terms and conditions of using legislation of the complexities, the possibility of accommon of the employment at the instance of eliber party, the possibility of retrenchment by the amployer or

resignation or retirement by the workman and even of the employer element or of the workman helograminated various benefits including reinstatement under the tends of flature awards by industrial Tributal in the event of facture awards by industrial Tributal in the event of facture awards by industrial Tributal in the benefits of reinstatement, the money value of the headels of reinstatement, the industrial adjusticator angula also have to take into account the papers; when all what his salary, benefits and what he papers; when if what his salary, benefits and what the papers; when it was subsided the age of superstandards and the benefits what have to be sempetical in their moder the date when such relications that was establish under the terms of the award.

Having request to the satellerations detailed above. It is impossible to strangers the money value of this benefit of reinstrangers awarded to the appoints with matternation exactlends and the best that any tribuous or court would do under the circumstances would be to stake as correct as estimate as is possible bearing, aftering in mind all the relevant fluxory pro said noon.

49. A Divisional Rench colder Patra High Court in B. Choudhary Vs. Pressiding (1988) deduced certain guidelines which have a transmission of indetermining the quantum of commences of (i) the back wages receivable; (ii) commences of the partition of the job with future prospect and obtainability of alternative employment (iii) and the past of a majory to pay and the nature of the majory was (iv) gainful employment in millianteen a section (vi) gainful employment in millianteen a section (vi) gainful employment in millianteen a section (vi) gainful employment in millianteen a section and the past conduct. These factors are only illustrative and not exhaustive in addition to the another of compensation, it is also within the partialication of the Tribunal to award interest on the inspant despressional as compensation. Furthermore, the rate of such interest is also in the discretion of the Tribunal Research can be made to Tabesh Process Shiveleashif 1949 Lab. 1 (1887)

Court took into hereand contain same in the workmen and her own caming in the alternative angle from the appellant a substantial game as prostage and interesting to the appellant a substantial game as prostagentation to her. In Utkal Machinery Ltd. [1966 (1) Lt.) 356] the amount of

compensation equivalent to two year salary of the employee awarded by the Industrial Tribunal was reduced by the Supreme Court to an amount equivalent to one year salary of the employee in view of the fact that she had been in service with the employer only for 5 months and also took into consideration the unusual manner of her appointment at the instance of the Chief Minister of the State. In A. K. Roy [1970 (1) LLJ 228)] compensation equivalent to two years salary last drawn by the workmen was held to be fair and proper to meet the ends of justice. In Anil Kumar Chakaraborty [1962 (II) LLJ 483] the Court converted the award of reinstatement into compensation of a sum of Rs. 50,000 as just and fair compensation in full satisfaction of all his claims for wrongful dismissal from service. In O. P. Bhandari [1986 (II) LLJ 509], the Apex Court observed that it was a fit case for grant of compensation in view of reinstatement. The Court awarded compensation equivalent to 3.33 years salary as reasonable. In M. K. Aggarwal (1988 Lab. I. C. 380), the Apex Court though confirmed the order of reinstatement yet restricted the back salary to 50% of what would otherwise be payable to the employee. In Yashveer Singh (1993 Lab. I. C. 44) the Court directed payment of Rs. 75,000 in view of reinstatement with back wages. In Navai Kishor [1984 (II) LLJ 473] the Apex Court observed that in view of the special circumstances of the case adequate compensation would be in the interest of the appellant. A sum of Rs. 2 lac was awarded as compensation in lieu of reinstatement. In Sant Raj [1985 (II) LLJ 19] a sum of Rs. 2 Lac was awarded as compensation in lieu of reinstatement. In Changa Lal (1985 Lab. I. C. 1225) a compensation of Rs. 2 lac by way of back wages in lieu of reinstatement was awarded. In Ras Bihari (1988 Lab. I. C. 107) a compensation of Rs. 65,000 was granted in lieu of reinstatement, since the employee was gainfully employed elsewhere. In V. V. Rao (1991 Lab. I. C. 1650) a compensation of Rs. 2.50 lac was awarded in lieu of reinstatement.

51. Taking into account all these aspects, I am of the considered view that the Corporation is to be commanded to reinstatement the claimant in its services with continuity and 25% back wages from the date of termination till the date of his reinstatement. Since his junior has been regularized in service. The Corporation shall also regularize service of the claimant from the date his junior Mr. Kannon was regularized in service. An award is accordingly passed. It be sent to the appropriate Government for publication.

Dated: 15-10-2010 Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 23 दिसम्बर, 2010

का. आ. 170.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ओरियंटल इंश्योरेन्स लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनबंध में निर्दिष्ट औसोशिक बिवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-1. चण्डीगढ के पंचाट (संदर्भ संख्या 147/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2010 को प्राप्त हुआ था।

> [सं. पूल-17012/6/2003-आई आर (बी-1)] रमेश सिंह, डेस्क अधिकारी

New Delhi, the 23rd December, 2010

S.O. 170.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 147/2003) of the Central Government Industrial Tribunal-cum-Labour Court-1. Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Oriental Insurance Company Ltd. and their workman, which was received by the Central Government on 22-12-2010

> [No. L-17012/6/2003-IR(B-I)] RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SHRI GYANENDRA KUMAR SHARMA. PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1. CHANDIGARH.

Case L D. No. 147/2003

Shri Chander Parkash, S/o Shri Khilla Ram, 705, Prem Nagar, Ghumar Mandi, Ludhiana-141008.

Applicant

The Regional Manager, Oriental Insurance Company Ltd., SCO No. 109-111, Sector-17D, Chandigarh-160017. ... Respondent

APPEARANCES:

For the Workman

: Shri B. N. Sehgal

For the Management : Shri R. K. Chopra

AWARD

Passed on: 10-12-2010

Government of India, vide Notification No. L-17012/ 6/2003-[IR(B-I)], dated 31-7-2003 by exercising its power under Section 10 of the Industrial Disputes Act (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal:

"Whether the action of the management of Oriental Insurance Company Ltd. in imposing the purishment of dismissing the services of Shri Chander Parkash S/o Shri Khilla Ram, Ex-Peon w.e.f. 19-10-2001 is legal and justified? If not, what relief the concerned workman's entitled to and from which date?".

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he was appointed as a peon in Oriental Instrunce Company Limited vide letter thated 10-3-1989 by the Regional Manager of the Bank. He was drawing the salary of Rs. 5.000 per month. His services were confirmed by the Regional Manager vide letter dated 25-8-1989. The workman has also qualified the test of clerk grade. Because no post was lying vacant, he was not promoted as clerk and was in the waiting list. Due to illness he had remain on leave during the year 1996 to 1999 for 452 days. The workman was charge sheeted for his remaining absent for 452 days. Enquiry was conducted and the charge was alleged to be proved against him. He was dismissed from the services on 19-1-2001.

It is the contention of the workman that his services were illegally terminated because the enquiry was conducted against the principle of natural justice. The instances of violation of principle of natural justice have been mentioned in the statement of claim in detail. I am not mentioning them because at the later stage the workman has considered and admitted that enquiry was fairly conducted.

The management appeared and contested the claim: of the workman by filing written statement. It is the contention of the management that workman remained: absent unauthorizedly from 1996, 99 for 452 days without prior sanctioning the leave. A proper and fair enquiry was conducted and after considering the nature of misconduct he was rightly dismissed from the services. Both of the parties were heard on issue of fairness of enquiry on 22-2-2010. This Tribunal vide order dated 22-2-2010 after affording the opportunity of being heard to both of the parties held the enquiry fair, proper and in accordance with he principle of natural justice. Vide order dated 22-2-2010 opportunity for adducing evidence was afforded to both of the parties on perversity in decision making of the enquiry officer and on quantum of punishment. Both of the parties informed this Tribunal on 22-2-2010 that they were not interested in adducing any further evidence of the issue of perversity, if any in decision making of the enquiry officer and on quantum of punishment awarded by the disciplinary authority. Accordingly, the file was listed for seguments.

Parties were heard at length. Fact admitted need and to be proved. In para No. 4 of the claim it is mentioned by the workman that due to his illness he remained on leave during the year 1996—1999 for 452 days. The workman has

failed to prove that his leave were sanctioned for the said period.

The workman was given the charge sheet as follows:

(1) He has remained unsufficiencedly absent without prior parmission or smettign of leave for 452 days during the period part 23-10-1996 to 10-8-1999 as markismed below:

	Period	No. o	Days	
	23-10-96442	9-11-96	38	
	10-12-96	^ 1	1	,
	30-12-96 to 2	7-2-97	60	•
	19-5-97 to 22	5.97	4	•
	20-6-97 to 25	6-97	6	
	30-6-97 to 8-	7-97	9	
	21-10-97 to 2	4-10-97	4	٠
	4-11-97 to 7-1	11-97	4	
	17-11-97 to 1	8-11-97	2	
	8-12-97 to 12	-12-97"	5	
. :`	29-12-97 to 3	1-12-97	3	
	25-2-98 to 26	-2-98	2	
	2-3-98 to 20-	3.98	19	
	15-4-98 to 94	7-98	86	
	6-1- 99 to 12-	1-99	7	
	21-1-99 to 10	8-99	202	
}				
	Total:	45	days	1

(2) He has abandoned his post as no intimation or information in willing was received in office, from him during his unsutherized absence from 21-1-1999 to 9-8-1999.

As stated earlier, that enquiry conducted by the enquiry officer has been held to be fair and proper. It is admitted by the workman that in a set of three years he absented (remain on leave) for 452 days. Prior to 21-1-1999 to 10-9-1999, the workman residence absent for 202 days continuously. The workman as stated earlier has been absented some time for a day and and some time for two days. The management has contended that because of unauthorized absence of the workman, work culture of the company has been affected. Unauthorized absence frustrates the very purpose of making public appointments.

In spite of the above contention of the management, the punishment awarded to the workman should proportionate to the committed misconduct.

Learned counsel for the workman has filed and relied upon the following case laws:

- (1) LIC of India Vs. R. Suresh, 2008 (2) SCT 664 (SC).
- (2) Inspector Prem Chand Vs. Govt. of N.C.T. of Delhi and others, 2007 (4) SLR 240 (SC).
- (3) Colour-Chem. Ltd. Vs. A. L. Alaspurkar, 1998 (1) SCI 757 (SC).
- (4) Narinder Mohan Arya Vs. United India Insurance Ltd. and others.
- (5) M. V. Bijlani Vs. Union of India and Others, 2008 (4) SCR 711 (SC).
- Joginder Pal Vs. The Presiding Officer, Labour Court, 1996 (1) SCT 436 (Pb. and Haryana High Court).
- (7) Haryana State Vs. Dharampal, 2001 (1) SCT 229 (Pb. and Haryana High Court).
- (8) Jagdish Singh Vs. Punjab Engineering College and others, 2009 (121) FLR 984 (SC).

I have gone through the principle laid down in all above case laws. The management of the Insurance Co. has referred 2007 (4) (SC) SLR 240 Inspector Prem Chand Vs. Government of NCT of Delhi and others which is also relied upon by the learned counsel for the workman on the issue of nature of misconduct on unauthorized absence. The management has contended that it is case of habitual absenteeism and accordingly the lenient punishment as ordered to be awarded by the Hon'ble Apex Court in Inspector Prem Chand's case cannot be considered. In the case of habitual absenteeism, strict and harsh punishment should be awarded.

On perusal of the entire material on record, it is specifically made clear that the issue of fairness of enquiry has already been decided by this Tribunal vide order dated 22-2-2010. Vide order 22-2-2010, the enquiry has been held to be fair, reasonable and proper. Meaning thereby, this Tribunal vide order dated 22-2-2010 has held that a fair procedure was adopted by the enquiry officer and all possible opportunity of hearing was given to workman. On the perversity, if any, in decision making and on quantum of punishment, both of the parties were afforded the opportunity to adduce evidence. None of party chooses to file/adduce any evidence and it was requested to dispose off the same on the basis of enquiry proceedings and enquiry report.

On perusal of the entire enquiry proceedings and enquiry report, it is evidently clear that for the period

w.e.f. 21-1-99 to 10-8-99 for the absence of 202 days continuously, it is reported that the workman was ill. The cumulative effect of the evidence of the management and the evidence in defence during enquiry is that during this period of absence, the workman was seriously ill. This fact has also come to the notice of the Tribunal that one staff member of the company visited the house of the workman and informed the branch manager that the workman is seriously ill. Meaning thereby, that the cause of absence was the ailment of the workman. It is true that workman has not applied for medical leave but the departmental proceedings run on the basis of justice, equity and good conscious. Equity, justice and good conscious requires that once this fact came to the notice of the enquiry officer that the absence of the workman was due to the ailment of the workman, he should have conducted the enquiry in like manner,

During arguments, it is admitted by both of the parties that workman could not survive and thereafter died with the same ailment. If true facts lacks communication, it does not permit the authorities of the company for harsh punishment. Thus, findings given by the enquiry officer regarding unauthorized absent are perverse because it had come to the notice of the enquiry officer during enquiry that the workman was seriously ill and has ailment was the cause of absence. The ailment was of such a nature that workman could not survive.

Section 11A of the 1.D. Act, 1947 empowers this Tribunal that in rare and sparing cases, this Tribunal can invoke the jurisdiction to reduce/change/replace/substitute the punishment awarded to the workman by the disciplinary authority. It is the settled principle of service jurisprudence that the jurisdiction u/s 11A should be invoked only in the cases if it warrants this Tribunal that non-invoking the jurisdiction will result in failure of justice and mis-carriage of justice. In spite of knowing the cause of absence, the management has dismissed the services of Shri Chander. Prakash which was as per Inspector Prem Chand's case a very harsh punishment. The workman has not abandoned the job but was prevented to attend the office due to the ailment.

As stated earlier, if the fact of ailment has come to the notice of the enquiry officer and disciplinary authority, the enquiry should have been conducted in the same manner. The enquiry officer and disciplinary authority, both, failed to appreciate the fact of ailment of the workman as the cause of unauthorized absence and if this fact is not appreciated by this Tribunal, it will be mis-carriage of justice.

Accordingly, punishment of dismissal is set aside. The period of absence should be considered as the medical leave if due. If no medical leave were due, the same shall be considered as the extra ordinary leave with or without payment of salary as per the rules prevailing in the company. For all purposes the workman shall be considered to be in

service with all the service benefits. The heirs of the deceased workman shall also be entitled for all service benefits as they would have been entitled if the workman had died in services including the compassionate appointment as per the rules of the management. The management is directed to implement the award within one month from the date of publication of award. Central Govibe informed. File be consigned.

Chandigarh.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 23 दिसम्बर, 2010

का. 31. 171.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दक्षिण मध्य रेलवे के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीज अनुबंध में निर्दिष्ट औद्योगिक विवाद में बोन्द्रीय सरकार औद्योगिक विवाद में बोन्द्रीय सरकार औद्योगिक विवाद में बोन्द्रीय सरकार औद्योगिक विवाद में बोन्द्रीय सरकार औद्योगिक विवाद में बोन्द्रीय सरकार के पंचाद (संदर्भ संख्या 135/2005) को प्रकाशित काली है, जो केन्द्रीय सरकार को 20-12-2010 को प्रांच हुआ का

[सं एल-41025/2/2010-आई आर(की-1)] रपेत सिंह, डेल्क अधिकारी

New Delhi, the 23rd December, 2010

S.O. 171.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 135/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Anhexure in the Industrial Dispute between the employers in relation to the management of South Central Railway and their workman, which was received by the Central-Government on 20-12-2010

[No. L/4 1025/2/2010-IR(B-I)] RAMESH SINGH Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUMPLABOUR COURT-I AT HYDERABAD

Present: Shri Ved Prakash Gaur, Presiding Officer

Dated the 4th day of October, 2010

Industrial Distpute L.C. No. 135/2005

Between:

Sri Komavarapu Venkateswara Rao, S/o Ramudu, C/o Sri M. Pitchaiah, 12/3, Arundelpet, Guntur.

Petitioner

AND

- The Senior Divisional Electrical Engineer, T.R.D. Divisional Office, South Central Railway, Vijayawada.
- 2. Officer on Special Duty,
 Divisional Office, Personal Branch,
 South Central Railway,
 Vijayawada.
- Chief Electrical Distribution Engineer (TRD),
 South Central Railway, Rail Nilayam,
 Secunderabad....... Respondents

APPEARANCES:

For the Petitioner

Sri M. Pitchaiah, Advocate

For the Respondent

Sri A. Pritaviraj, Advocate

AWARD

This petition under sec. 2A(2) of the I.D. Act, 1947 was filed by Sri K. Venkates were Rao, an ex. employee of the Chief Electrical Distribution Engineer of South Central Railway in light of the judgment of the Hon ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3.8. 1995 between Sri U. Chanappa and M/s. Cotton Gorporation of India and two others for quashing the order of his removal dated 26.6.2002 and to reinstate him with full back wages.

2. It has been alleged that the petitioner was appointed as Khalasi on 3.5.38 and worked upto 17.7.96 in that capacity. He was promoted to the post to Khalasi helper and worked upto 28.6.7062 in that capacity. The petitioner is workman within the theating of Sec. 2(S) of Industrial Disputes Act, 1947, The Workman was issued with a proceeding bearing No. BAR: Con 227/11/2002/13 dated 28-q-2002 removing the entition from service on the allegation that applicant produced false educational certificate giving wrong date of birth Le., 3-2-1955 alleged to have been issued by S.K.F.V.V.H. High School. Though the management did not conduct the domestic enquiry in June 2002 some vigilance officers from Secunderabad office came to Vijayawada and unduly influenced the applicant and obtained his statement. One week thereafter, the applicant was called to Secure tribad office and he was made to give statement to the distriction of the vigilance officer, except this no other witness was examined in presence of the workman and no document was marked. No apportunity was given to the workman before removing him from service. It has further been alleged that copy of the documents were not supplied to the workman which was made basis of the disciplinary action. It has further been alleged that at the time of submission of educational certificate applicant was not an employee of South Central Railways, as such, the charge levelled against the applicant does not apply to the facts of the case. It can be said to the codified misconduct under the rules. The charge sheet on

which the applicant was dismissed had no application to the facts of the case. The punishment is shockingly disproportionate. Other workmen have also committed identical misconduct who were either let off or imposed with lesser punishment. The punishment is not in conscience with the circulars issued by the management. The action of the management in removing the applicant form the services is arbitrary, illegal, mala fide and incolourable exercise of his power, and unfair labour practice, discriminatory, unjustified and violative of principles of natural justice. The applicant is facing financial hardships as he has been thrown out of the employment as such, the orders of removal dated 28-6-2002 be set aside and the management be directed to reinstate the applicant with continuity of service, back wages and all other attendant benefits with 12% p.a. interest on arrears.

- 3. Counter statement field by the respondent wherein the Respondent management has stated that petitioner workman was posted as Khalasi. Thereafter he was promoted as Khalasi Helper, while working so, he was issued with a major penalty for committing grave fraud in obtaining appointment in Railway on compassionate grounds on the strength of false bio-data and bogus transfer certificate purported have been issued by S.K.P.V.V. Hindu High School for reckoning of age. The petitioner obtained employment by fraudulent means. A charge sheet along with 15 documents was issued to the petitioner, he submitted his explanation on 17-6-2002 duly accepting the charges unconditionally stating therein that he was misguided by his brother -in-law and some learned persons. Disciplinary action was initiated and full-fledged enquiry was conducted he was given full and fair opportunity to contest the disciplinary proceeding though he admitted the mistake. The management witnesses were examined who proved that the petitioner had produced bogus transfer certificate and an incorrect date of birht to gain benefit. The charges of production of bogus certificates was found to be proved and he was dismissed from the service.
- Parties were directed to file their evidence.
 Respondent management has filed proceeding book of the enquiry proceeding.
- 5. The petitioner workman challenged the very legality and validity of the domestic enquiry as such, my Learned Predecessor heard both the parties on the question of legality of the domestic enquiry and by a reasoned order dated 8-3-2007, he concluded that the domestic enquiry conducted by the management is valid. Thereafter the matter was posted for argument under sec. 11A of the Industrial Disputes Act, 1947.
- 6. Petitioner has not filed either written arguments or has made any oral submission under sec. 11A. Learned Counsel for the respondent has filed written arguments as well as made oral submissions.

- 7. I have heard and gone through the pleadings of the parties and documents produced by the respondent management.
- 8. The following points have to be considered in this case:
 - (I) Whether the action of the management in terminating the services of the workman is legal and justified?
 - (II) To what relief the workman is entitled?"
- 9. The workman has submitted through his claim satement that a proceeding was issued to him wherein it was mentioned that he has produced false educational. certificate showing date of birth i.e., 3-2-55. His contention is that no enquiry was conducted nor he was given opportunity to participate in the proceeding. However, my learned predecessor vide his order dated 8-3-2007 has given a cogent finding that the domestic enquiry was conducted by the management, charge sheet was given to the petitioner workman, management witnesses were examined and it was found by the Enquiry Officer that the petitioner submitted a bogus birth and education certificate. I have also gone through the documents produced by the management in which the statement of the petitioner workman has been recorded. The petitioner has stated that his educational qualification is SSC and his date of birth in the first instance he has stated it to be 1948; whereas in his second statement he has stated that his actual date of birth is 10-6-1942 and has passed SSC. It was his brother-in-law who has arranged the certificate on the basis of which he has obtained the employment in the Railways on compassionate ground after death of his father. There is ample material on this enquiry proceeding that the enquiry was conducted in fair and proper manner and there is ample material to prove that as the S.P.V.V.H. High School no student of workman's name was ever admitted in that school neither he studied nor failed IX class nor his date of birth is 1955 as has been mentioned in it. This all goes to show that the workman of this case has produced bogus education and date of birth certificates to gain employment, as he was born in the year 1942 he was quite over aged at the time of his compassionate appointment, so he has obtained the bogus certificate and produced it to gain appointment and he was offered the employment on compassionate grounds. There is nothing to contradict the finding of the Enquiry Officer or the conclusion arrived at during course of the enquiry that the Petitioner has produced the bogus birth certificate and study certificate. Thus, the very basis of appointment of workman to gain the employment was the bogus certificate, as such, the management has not committed any mistake in terminating the services of the Petitioner who has obtained the employment on the basis of bogus certificate and thus, the management has not committed any illegality. The Point No. (I) is decided accordingly.

- 10. Point No. (II) : Petitioner workman has not been able to prove that the action of the management is illegal or unjustifiable. Hence, he is no entitled to any relief. Point No. (H) is decided accordingly.
- 11. From the above discussion, this court is of the opinion that this petition is devoid of any ment and it deserves to be dismissed and it is dismissed. Hence, this

Awared passed accordingly. Transmit:

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 4th day of October, 2010.

VED PRAKASH GAUR Presiding Officer Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

/ NIL

Documents marked for the Petitioner

Documents marked for the Respondent

नई दिल्ली, 23 दिसम्बर, 2010

का. आ: 172.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंस्ट कोस्ट रेलचे के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट और्तामिक विकाद में केन्द्रीय सरकार औरतियक अधिकरण, हैदराबाद के पंचार (संदर्भ संख्या 14/2008) को प्रकृतिस करती है, जो केन्द्रीय सरकार की 22-12-2010 को प्रान्त हुआ था।

> [सं एल-41011/13/2008-आई और (के-1)] रमेश सिंह, हेस्क आध्रमेंक्री

New Delhi; the 23rd December, 2010

S.O. 172.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of East Coast Railway and their workmen, which was received by the Central Government on 22-12-2010

> [No. L. 41011/13/2006 IR(B-1)] RAMESH SINGH, Desk Officer

ANNEXINE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRANSPORT COURT-1 AT HYDERABAD

resent : Shri Ved Prakash Gaur, Presiding Officer Dated the 1st day of November, 2010 Industrial Dispute No. 14/2008

The President, ast Coast Railway Porters' Union, Q/o Porter's Rest Union, Railway Station, Hhubaneswar (Orissa) -751001

Petitioners

The Senior Divisional Commercial Manager, East Coast Railway, Walker Division, DRM Office Complex, Dondaparthy, Visakhapamam

The Divisional Railway Manager, East Coast Railway, Walkir Division, Dondaparthy, Visakhapathem ... Respondents

APPEARANCES:

For the Petitioner : M/s. T. Venkat Reddy, Ch. Janardhan Raddy K. N. Reddy and N. Venugopal Mo, Advocates

For the Respondent : Sri A. Pritivina, Advocate

The Government of India, Windsity of Labour by its Order No. L-41011/13/2008-IR: D. Daniel 30:45-2008 referred the following dispute under Section 19(1)(d) of the I.D. Act, 1947 for adjudication to this Temporal between the management of East Coast Reils ward their workmen. The term of reference is as under:

SCHEDULE

"Whether the action of the management of East Chast Railway, Wallant Division represented by Sr. Divisional Commercial Manager and Divisional Railway Manager in denying the facility of transfer of Licence Badges to the dependents of 166 Railway Perters i.e. S/Sri Kerri Gampo Waldu and 165 others (as per list enclosed) engaged in various Railway Stations in Wattain Division as declarated by the East Chast Railway Porter's Union is legal and justified? If not, to what relief the workmen are entitled to?"

The reference is numbered in this Tribunal as I.D. No. 14/2008 and porfees were issued to the parties.

2. Petitioner union has filed claim statement and Respondents has also filed counter and documents. Respondents counsel has filed memo stating that party has agreed to get the dispute resolved through amicable settlement. The term of which is written in the memo. Workmen's counsel has also filed memo conceding that the claim be decided in terms of the memo filed by the Respondent. Both the parties has verified this memo.

ORDER

The memo is recorded as compromise/settlement and the claim petition is decided in terms of the memo dated 1-11-2010. It shall form part of the Award. Award is passed in terms of the memo. Upon the transfer of the badges to the dependents of the 166 Railway Porters, the Petitioners shall be entitled for all consequential benefits arising therefrom. Hence, this Award.

Awared passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 1st day of November, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of Evidence

Witnesses examined for the Petitioners

Witnesses examined for the Respondent

NIL

Documents marked for the Petitioners

NIL

Documents marked for the Respondent

NÌL

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 173.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार दक्षिण भारतीय बैंक लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 49/2003) की प्रकाशित करती है, जो केन्द्रीय सरकार को 22-12-2010 को प्राप्त हुआ था।

> [सं. एल-12014/02/2010-आई आर(बी-I)] रमेश सिंह, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 173.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 49/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of South Indian Bank Ltd. and their workman, which was received by the Central Government on 22-12-2010

> PNo. L-12014/02/2010-IR (B-1)] RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1 AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer Dated the 4th day of August, 2010

Industrial Distpute No. L.C.I.D. 49/2003

(Old I.D. No. 50/2001 transferred from Labour Court, Guntur)

BETWEEN:

Sri A. Vijay Kumar, S/o Chinnabbai. C/o Sri C. Niranian Rao. HIG-II, Block-22, Flat-8, Baglingampally, Hyderabad

Petitioner

AND

- 1. The General Manager, South Indian Bank Ltd., H.O. S.I.B. House, Post Box No. 28, Trissuru, Kerala
- The Manager. South Indian Bank. Vijayawada.

Respondents

APPEARANCES:

For the Petitioner

: M/s. C. Niranjan Rao and M. Subrahmanya Sastry, Advocates

For the Respondent: M/s. G. Vidya Sagar, K. Udaya Sri, P. Sudheer Rao and B. Shivakumar,

Advocates

AWARD

This case I.D. No. 50/2001 has been transferred from Labour Court, Guntur in view of the Government of India. Ministry of Labour's Order No. H-11026/1/2001-IR (B-I) dated 18-10-01 and renumbered in this Court as L.C.I.D. No. 49/2003 which is case taken under Sec. 2 A (2) of the I.D. Act, 1947 in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnsona and M/s. Cotton Corporation of India and two others.

- 2. The Petitioner Sri A. Vijeya Kumar has filed this Petition against his termination dated 19-11-1996, He submitted that he joined the service of the Respondent bank as clerk-cashier in the year 1985. Due to personal and physical problems he could not attend his duties and could not inform the Respondent. He was issued with chargesheet dated 1-9-98 and after enquiry proceeding he was held to be guilty of the charges levelled against him. Petitioner further submits that he was given personal hearing and removed from service of Respondent bank from 19-11-1998. He submitted that he served a demand letter to the management for reconsideration of termination order. Hence, Petitioner prayed to direct the Respondent management to reinstate him with continuity of service, back wages and attendant benefits.
- 3. Respondent has filed counter statement. That Petitioner was working as a clerk-cum-cashier in the Vijayawada Branch of the bank. During course of his employment the workman committed certain gross and serious misconducts adversely affecting the proper and normal working of the bank and endangering the discipline of co-employees. It is submitted that he has started committing misconducts from the year 1991 and also abstaining from duty without leave. First he was warned and later as he continued similar offences, his increment was stopped for a period of six months as pentalment after. a proper enquiry. That Petitioner Sri. A Vilaya Kumer continued to be absent without leave and displaying the orders to resume duty. As emplify was conducted following the principles of natural justice. He was affected all opportunities during enquiry proceeding and also after for submission and for personal beating. Potitioner has requested to take a lenient view. But as the charges were proved against him punishment of dismissal vide order dated 19-11-1998 was given to the Petitioner. The workman was unauthorizedly remain absent without intimation continuously from 29-10-1997 till the date of his dismissal on 19-11-1998 which is a gross-misconduct under Clause 19.5 (f) of the Bipartite Settlement as such, the petition is liable to be dismissed.
- 4. The Petitioner workman has filed rejoinder reiterating his prayer and stating that his petition is maintainable under Sec. 2A(2).
- 5. Case is fixed for hearing on 4-8-2010. On this date both parties called absent. Hence, this petition is dismissed in absence of both parties. Accordingly, a 'Nil Award' is passed in absence of parties concerned.

Accordingly, a 'Nil' Award is passed, Transmit.

Dictated to Smt. P. Phani Gowrk, Personal Assistant transcribed by her corrected by nie on this that the day of August, 2010: -

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for Witnesses examined for the the Respondent Petitioner

Documents marked for the Petitioner

Documents marked for the Respondent

नई विश्वारी, 24 विश्वारक, 2010

का. आ. 174.-अधिमिक विकार अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.सी.सी.एल. के प्रविधतंत्र के संबद्ध नियों क्यों और उनके कर्मकारों के बीच अनुबंध में निर्दिश्व औद्योगिक विकल में केश्रीय औद्योगिक अधिकरण, हैदराबंद के पंचार (संदर्भ संख्या 15/2008) को प्रकाशित करती है. जो केद्रीय संस्कार को 24-12-2019 की जाना हुआ था।

> [सं. इल-22012/386/2007-आई आर (सीएम-II)] **ही. एस. एस. श्रीरिकास राय, हेस्क** अधिकारी

New Delhi, the 24th December, 2010

S.O. 174. In pursuance of Section 17 of the Industrial Dispetes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 15/2008) of the Central Government industrial Tribanal cum Labour Court, Hyderabed as shown in the Assessing in the Industrial Dispute between the employers in relation to the management of 14. Singuistre Collinies Company Ltd., and their workings, which was acceived by the Central Government on 24-12-2010

DIO L. 220 12536/2007-IR (CM-II)]
D.S.S. SRINDYASA RAO, Desk Officer

AND MARKETON

BEFORE THE CENTRAL GOVERNMENT INIUSTRIAL TREBUNAL CONFLABOUR COURT-1, AT HYBERARAD

Present: Shri Ved Prakash Gaus, Presiding Officer

Dated the 3rd day of November, 2010

Industrial Distante No. 15/2008

Between:

Sri Y. Sacangapani, (Fitter and representative for 13 fitters of RG-II) Otr. No. St.-2, 2486. GDK-8, Incline Colony, Godavarikhani.

Petitioner

The Chief General Manager,

M/s. Singareni Collieries Company Ltd.,

Ramagundam-II Division,

GDK-8 Incline Colony (PO).

Godavarikhani - 505211 . Respondents

APPEARANCES:

For the Petitioner

For the Respondent: M/s. P.A.V.V.S. Sarma and

Vijayalaxmi Panguluri, Advocates

The Government of India, Ministry of Labour by its Order No. L-22012/336/2007-IR (CM-II) dated 27-5-2008 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of M/s. Singareni Collieries Company Ltd., and their workmen. The reference is: ...

SCHEDULE

"Whether the action of the management of M/s. Singareni Collieries Company Ltd., in denying promotion to Shri Y. Sarangapani and 13 others (list enclosed) as per existing cadre scheme (i.e., Policy No. 49 dated 7-10-1993 circulated vide CLL/JCCI/LL dated 7-10-1993) is legal and justified? To what relief are the workmen entitled?"

The reference is numbered in this Tribunal as 1.D. No. 15/2008 and notices were issued to the parties.

2. On 3-11-2010 case called out, Petitioner workman absent and Respondent's counsel is present. Petitioner Workman has not filed claim statement even after putting in appearance. Though several opportunities have been given to workman but he failed to submit claim statement as such, the case is dismissed in absence and non-filing of claim statement. Accordingly, 'Nil' Award is passed.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 3rd day of November, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Witnesses examined for Petitioner the Respondent

NIL

NIL.

Documents marked for the Petitioner

NIL.

Documents marked for the Respondent

NIL

नई दिल्ली, 24 दिसम्बर, 2010

का, आ, 175.-औद्योगिक विवाद अधिनयम, 1947 (1947 का 14) की धारा 17 के अनसरण में केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 141/2006) को प्रकाशित करती है. जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

> [फा. सं. L-22013/1/2010-आई आर(सी-II)] डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 175.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 141/2006) of the Central Government Industrial Tribunal-cum-Labour Court. Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 24-12-2010

> [F. No. L-22013/1/2010-IR(C-II)] D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer.

Dated the 4th day of October, 2010

Industrial Dispute L. C. No. 141/2006

BETWEEN:

Sri Vemula Madhusudan, S/o Buchi Lingu, C/o Smt. A. Sarojana, Advocate, Flat No. G-7, Ground Floor, Rajeshwari, Gayatri Sadan, Opp. Badruka Jr. College for Girls, Kachiguda, Hyderabad, Petitioner

1. The General Manager. M/s. Singareni Collieries Company Ltd., Mandamarri Area, Post Kalyankhani, Adilabad District.

2. The Dy. General Manager, M/s. Singareni Collieries Company Ltd., KK-5 Incline. Post Kalvankhani, Adilahad District. Respondents

APPEARANCES:

For the Petitioner

M/s. A. Sarojana & K. Vasudeva

Reddy, Advocates.

For the Respondent: M/s. P.A. V. V.S. Samma& Vriewalstoni

Panguluri, Advocates.

AWARD

This petition under Sec. 2A (2) of the I. D. Act. 1947 has been filed by Sri Vemula Madhusudan, ex-badli to set aside the dismissal order dated 19-5-2003 and to reinstate the Petitioner workman with full back wages.

2. It is alleged by the Petitioner that he was appointed as badli filler on 14-2-1989 and he was promoted as cont. filler on 1-5-95 and he was regular to his duties into 2000. During this period the Petitioner's son expired suddenly, due to which the Petitioner mentally degressed and foll sick and as such he could not be regular to his dution? charge sheet dated 7-3-2002 was issued alleging therein the Petitioner has worked for 72 days during 2001 which amount to misconduct under Company's Standing Orders No. 25.25. The Petitioner has submitted his explanation but the Respondent were not satisfied and ordered for departmental enquiry. The Enquiry Officer conducted the caquiry with predetermined notion. The enquiry was not valid in nature. The Enquiry Officer submitted his report on the basis of improper enquiry and the Disciplinary Authority did not consider the submission made by the Petitioner and passed dismissal order of Petitioner w.c.f. 30-5-2003 vide order dated 19-5-2003. The Petitioner was absent due to sudden death of his son and the same was stated by the Petitioner before the Enquiry Officer, no challenge was made from the side of the management as such, the submission made by the Petitioner weuld have been deemed to be correct but the Enquiry Officer has not considered the submission made by the Petitioner workman. He submitted his enquiry report with a predetermined notion as such, the order passed on such enquiry report is bad and deserves to be quashed. Proper opportunity was not given to the Petitioner in the enquiry proceeding as such, the order dated 19-5-2003 be treated as bad in law and the punishment is too harsh and excessive to the charges alleged. He prayed this court to modify the penishment of dismissal to that of any lesser penalty so as to survive himself and to look after his family.

3. Management has filed counter statement alleging therein that Petitioner remained absent for the year 2001 but for 72 days which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the company and dismissal is not bad in the light of the case law reported in 1996(1) SCC 102 State of U.P. and Others Vs. Ashok Kumar Singh. Petitioner's contention that he was not afforded proper appearantly is incorrect. Due notices were given to the Pethioner to participate in the enquiry proceeding. The notice was

acknowledged by the Petitioner and he participated in the enquiry proceeding. Petitioner did not avail the assistance of co-worker though he was given the opportunity to take the help of a co-worker. Petitioner did not produce any sickness proof or death certificate of his son, thus he failed to produce any documentary evidence before the Enquiry Officer. During the years 1997, 1998, 1999, 2000 and 2002 also the Petitioner was not regular to his duties. In the year 1997 he put in only 83 musters, in 1998 94 musters, and in 1999—127 musters, in the year 2000—140 musters and in the year 2002 he put in 119 musters. However, in the year 2001 he put in only 72 musters. This proves that the Petitioner was not sincere to his work. He intentionally absented himself without any reason or cause. The company has provided medical facilities by establishing haspitals, the Petitioner did not reported to the company haspital for his sickness or his son's sickness thus, if his submissions are true he would have supported that with documentary evidence, Enquiry Officer has given his finding on the material placed before him by the management and no fault can be find in the enquiry report, it is based on evidence and Petitioner's dismissal order is not disproportionate to the misconduct committed by him since Petitioner was not regular to his duties company has dismissed him which is neither illegal nor invalid. That in view of a settlement dated 20-8-2004 which was arrived at with the recognized union i.e., SCMLU a settlement was agreed as under:

> "in view of the persistent request of the recognized union, it was offered to examine the cases of those workmen, who were dismissed on account of absenteelsm during the period from 1-1-2000 to 30-6-2004, by a High Power Committee headed by Director (PA & W) with the same criteria that was observed while reviewing the case of ex-workmen dismissed on account of absenteeism during the period from 1-1-1997 to 31-12-1999, in terms of MoS dated 21-2-2000." In accordance with the above settlement, management invited applications from employees dismissed on the ground of absenteeism and the Petitioner too made his application and his case was reviewed by the High Power Committee which did not consider his case Fit for appointment again in view of his poor attendance. Hence, the petition be dismissed as it is devoid of merits.

4. Parties were directed to produce documentary evidence in support of their claims. Petitioner has filed charge sheet dated 16-9-2002, enquiry proceeding, enquiry report, dismissal order dated 19-5-2003 and office order dated 8/11-2-1989. However, the Respondent has filed charge sheet with acknowledgment, Petitioner's explanation, notice of enquiry, entire domestic enquiry proceedings file, show cause notice issued to him, representation submitted by the Petitioner, his undertaking and dismissal order.

- 5. Before coming to the point of the legality of order passed by the management it is pertinent to mention that Learned Counsel for the Petitioner moved memo dated 1-5-2009 conceding the validity and legality of the domestic enquiry as such, the domestic enquiry was held to be legal and valid.
- 6. I have heard counsels for the parties and has gone through the claim petition, counter statement and documents filed by the parties.
- 7. It is admitted fact that the Petitioner has put in only 72 musters during the year 2001 for which a charge sheet dated 7-3-2002 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent due to ill-health and family problems. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge.
 - 8. In this case this tribunal has to consider:
 - (1) Whether the absence of Petitioner during the year 2001 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?
 - (2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?

Point No. 1: The Petitioner has submitted that his son expired suddenly, due to which Petitioner got mentally depressed and fell sick during the year 2001 due to which he remained absent and put in 72 musters during the year 2001. His statement was recorded by the Enquiry Officer and during the course of the enquiry he stated that he worked for 72 days and remained absent for the rest of the days. Petitioner in his reply dated 12-4-2002 stated that his only son died on 11-7-2001 due to ill-health due to which he suffered lot of trouble and mental agony causing him absence from duty. In his statement before Enquiry Officer also he stated that death of his only son affected his routine life and he remained absent. This material question has not been considered by the Enquiry Officer. No doubt, the Enquiry Officer has stated in his report that workman has cited his son's death as the cause of his absence, but, what was his finding about the workman's absence after death of his son has no where been mentioned in the report of the Enquiry Officer. No doubt, the management has produced Sri A. Udaya Mohan, POA as MW1 and Sri K. Ranga Rao, Pay Sheet Clerk as MW2 who have stated that Petitioner remained absent without leave or without intimation and attended duty for 72 days only from January to December, but, what was the reason of absence has not been mentioned by either of the witnesses which has been stated by the workman before the Enquiry Officer but same

was not been challenged by the management as such, the contention of the Learned Counsel for the Petitioner workman that Petitioner's mental condition was not of that state that he could join or perform to his duties after the sudden demise of his only son is fully justifiable. I am fully convinced that if a father loses his only son then his mental condition will be not of that state that he could perform any work for months together. Thus, in the present case, the absence of Petitioner from July to December is fully explained and based on reasonable and sufficient cause and finding of the Enquiry Officer was perverse and it is not based on evidence available before the Enquiry Officer. Point No. (I) is decided accordingly.

9. Point No. (II): This tribunal has to ascertain whether the punishment imposed is justifiable or not. From the discussion of point No. (1), this tribunal is of the coinion that workman's only son expired and he was no in such a mental state that he could perform his duties, the absence of Petitioner due to sudden demise of his only son is sufficient and good cause for absence of Petitioner from the duty. The Respondent has alleged that Petitioner remained absent during the year 1997, 1998, 1999 and 2000 also but this material fact was not disclosed in the charge sheet nor Petitioner was charge sheeted for the absence in the previous year as such absence of previous years is of no consequence. The Petitionel's only absence has to be considered for the year 2001 during which he lost his only son and in the opinion of this tribunal he was not in a state of mind that he could have performed his duties regularly. The absence of Petitioner was justified and he remained absent for the reasonable cause, in that event the management has imposed an excessive and disproportionate punishment on the workman. Instead of punishing the Petitioner with the dismissal from the service his annual increment could have been stopped and that could have been appropriate punishment in the case of the present Petitioner.

10. In the light of above discussion, this tribunal is of the opinion that the punishment of dismissal imposed on the Petitioner is excessive and deserves to be quashed. The proper punishment is stoppage of five annual increments of the Petitioner and he should be reinstated in the service, but without back wages as he has not worked during all these years. Point No. (II) is decided accordingly.

11. The Petition is allowed, dismissal order, 19-5-2003 is set aside and management is directed to reinstate the Petitioner within two months from the date of publication of the award. The Petitioner will not be entitled for back wages because he did not inform the management regarding his absence and has not worked during all these years, he will be entitled for wages from the date of his reinstatement. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 4th day of October, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner Witnesses examined for the Respondent

NIL

AL.

Decuments marked for the Petitioner

NIL.

Documents marked for the Respondent

NII.

नई दिल्ली, 24 दिसम्बर, 2010

का, आ. 176.—आंद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस सी. भी. एस. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीज, जनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंजाद (संबर्ध संख्या 52/2008) की प्रकार करती है, जो केन्द्रीय सरकार को 24-12-2010 की प्राप्त हुआ था।

[फा. सं. एल-22013/1/2010-आईआर(सी-II)] डी. एस. एस. श्रीतिवास राज, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 176.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 52/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 24-12-2010

[No. L-22013/1/2010-IN(C-11)]
D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT AT HYDERABAD

PRESENT :

Shri Ved Prakash Gaur, Presiding Officer

Dated the 2nd day of November, 2010

Industrial Dispute L. C. No. 52/2000

HETWEEN:

Sri Eppala Ram Babu,
S/o Appa Rao,
C/o Smt. A. Sarojana, Advocate,
Flat No. G-7, Ground Floor, Rajeshwari,
Gayatri Sadan, Opp. Badruka Jr. College for Girls,
Kachiguda,
Hyderabad.... Petitioner

AND

- The General Manager, M/s. Singareni Collieries Company Ltd., Bhupalpally, Warangal District
- The Dy. General Manager, KTK-1 Incline, M/s. Singareni Collieries Company Ltd., Bhupalpally, Warangal, District

. . Respondents

APPEARANCES:

For the Petitioner: M/s. A. Sarojana & K. Vasudeva Reddy, Advocates

For the Respondent: M/s. P.A. V. V. S. Sanna & Vijayalaxmi Panguluri, Advocates

AWARD

This petition under Sec. 2A(2) of I. D. Act, 1947 was filed by Sri E. Ram Babu, Ex. General Mazdoor of M/s. Singareni Collieries Company Ltd., against M/s. Singareni Collieries Company Ltd., Challenging the order of his dismissal dated 30-9-2006 to quash the said order and reinstate him with back wages.

- 2. It has been submitted by the workman that he was appointed as floating Badli Filler on 16-10-1986 and was transferred to Bhupalpally in the year 2002. In the year 2006 he was converted as general Mazdoor. From the date of appointment Petitioner was regular till the year 2003. In the year 2003 while he was performing his duties an iron piece unfortunately pierced into his leg which caused injury which later on infected with septic. In addition to the above ailment he also suffered with Hepatitis, knee pains and spinal pains for which he took treatment in company's hospital and also in outside hospitals. He remained admitted into company's hospital for quite a long time.
- 3. He was chargesheeted and a charge sheet was issued alleging that he could work only for 51 days during the year 2003 which amount to misconduct under company's Standing Orders 25.25 and 25.31 through the chargesheet dated 15-3-2004; Enquiry was conducted with a predetermined notion as if Petitioner absented from duties without any cause. During course of enquiry Petitioner was not given opportunity much less valid in nature.

Basing on lopsided enquiry the Enquiry Officer held the charges as proved and submitted his report. Basing on the erroneous finding of the Enquiry Officer show cause notice was issued on 25-6-2004 to which the Petitioner submitted his reply. However, without considering the merit of submission, the workman was dismissed from service w.e.f. 9-10-2006 vide order dated 30-9-2006.

- 4. It has been submitted that in his reply to the charge sheet as well as during enquiry proceeding Petitioner categorically pleaded his inability to perform the duties for not more than 51 musters during 2003, was only on account of the recurrent ill-health and other family problems. The Petitioner further pleaded before Disciplinary Authority that he will attend of his duty without absence in future but, above submission was also not considered. The order of dismissal is illegal, arbitrary. violative of principles of natural justice because the enquiry was conducted in a routine and mechanical manner with a pre-determined notion to put the Petitioner to extreme hardship after dismissal. No opportunity was given to the Petitioner to avail assistance of a co-worker. The procedure of enquiry was not explained to him nor he was asked to mark the documents during course of enquiry. Petitioner has shown the prescriptions of the hospital, reference letters and other record pertaining to his continuous illhealth but neither it was marked nor it was considered. No approval of the competent authority was obtained for passing the impugned order. The language in which the enquiry was conducted was not known to the workman. The finding is based on presumptions and without any basis. The Petitioners submissions remained unrebutted. Thus, it is treated to have been accepted by the Enquiry Officer. The Petitioner performed only 51 musters due to his ill-health and injuries sustained by him during course of his duties. The punishment imposed is excessive and disproportionate to the misconduct committed by the workman, hence he has prayed that the dismissal or termination order be quashed and he be reinstated into services of the Respondent.
- 5. Respondent management has filed counter challenging the maintainability of the petitioner under Sec. 2A(2), further stating that Petitioner was an unauthorized absentee who was dismissed from services on proved charges of absenteeism after conducting a detailed domestic enquiry following the principles of natural justice. As such, the legality and validity of domestic enquires be decided as preliminary issue.
- 6. It has been submitted that the workman was appointed on 16-10-1996 as Floating badli filler and later on as coal filler and he was drafted as general mazdoor in the year 2006 and he put in only 204 musters in the year 2001, 157 musters in 2002 and only 51 musters in the year 2003 whereas he has to put in a minimum of 190 musters every year. During course of domestic enquiry he was afforded proper opportunity by the Enquiry Officer. The

Petitioner has participated in the enquiry proceeding, he admitted his guilt during his deposition on 10-6-2004. He informed the Enquiry Officer that he suffered with knee pain and back pain and he has taken treatment in private hospitals for better treatment which forced him to remain absent. He further assured that he will attend to his duties regularly. But he put in only 72 musters during 1-1-2004 to 10-6-2004. Enquiry report was sent to the Petitioner to submit his explanation. He did not submit any representation. The allegation of the Petitioner that he sustained injury while performing his duties is not correct. No prescription or medical certificate was produced by the enquiry proceeding during course of the enquiry. It is incorrect to say that he was not asked to make his documents. It was his duty which he did not perform. The Enquiry Officer has given his finding on the material available before him. It is incorrect to say that the Enquiry Officer was prejudiced or his enquiry is lopsided. The procedure of enquiry was made known to the Petitioner. He was informed about his right to engage an assistant for his defence which he did not avail. He remained absent without any reasonable or sufficient cause hampering the working of the company, hence he was dismissed. The punishment is proper in the light of the facts of the present case. Hence, the Petitioner is not entitled for any smooth or lenient view.

- 7. Both the parties were directed to file their respective evidence. Petitioner workman has filed the copy of charge sheet dated 15-3-2004, enquiry proceeding running in 8 pages and dismissal order. The Respondent management has also filed the original enquiry proceeding book running into 13 pages, charge sheet, notice of enquiry to the Petitioner, enquiry report, show cause notice and dismissal order.
- 8. Before entering into the merits of the case the question of legality and validity of the domestic enquiry was to be considered. On 27-1-2010 Learned Counsel for the workman filed memo conceding the legality and validity of the domestic enquiry, in the light of that memo domestic enquiry was held to be legal and valid.
- 9. I have heard both the counsels under Sec. 11A of the Industrial Disputes Act, 1947.
- 10. Both the Learned Counsels have filed their written submissions and I have gone through the written arguments of the parties and perusal of the file of the tribunal. It has been argued by the Learned Counsel for the Petitioner workman that he has not disputed the fact that Petitioner was absent and put in only 51 musters during the year 2003. However, his contention is that the workman remained absent due to ill-health and he suffered injury during course of his duties for which he was treated in company's hospital and for better treatment he has gone outside company's hospital which has resulted for his absence from duties. This fact was stated by the workman

during course of enquiry that the same was not considered by the Enquiry Officer. Thus, the finding of the Enquiry Officer is perverse for non-consideration of the submission made by the workman. He has further argued that workman was punished with severe punishment though diamissal from service is a last resort. Thus, the Disciplinary Authority has taken last resort of punishment by way of dismissing the Petitioner from the service, which is excessive and disproportionate, as such, the order of dismissal is arbitrary, unjustified and illegal and deserves to be set aside.

- 11. Learned Counsel for the Respondent has contended that the question of absenteeism is undisputed, It was the duty of the Petitioner to prove that he remained absent for reasonable and sufficient cause. He was chargesheeted and the Petitioner has to submit his explanation, but he did not submit any explanation to the charge sheet, this material fact has been accepted by the Petitioner workman during course of enquiry. However, the management has examined Sri B. Mahesh Babu, Acting POA, and Sri K. Damodara Chary, Pay Sheet Clerk and the Petitioner has examined himself wherein he has stated that he was suffering with knee pain and back pain for which. he took treatment in the private hospital. He has not stated that he suffered with injury during course of his duties or he took treatment in company's hospital. He admitted charges levelled against him and no document was produced by the Petitioner during course of the enquiry. as such, the contention of the Learned Counsel for the workman that workman was not afforded proper and ample opportunity is imaginary, it is not based on the material available before this tribunal, entire argument is baseless, imaginary and does not find support from the facts and the documents available on the record.
- 12. He has further argued that the Petitioner workman has put in only 51 musters during the year 2003 due to which the production has been hampered and the management has no other option but to dismiss such type of employees who are careless towards their duties. His punishment is neither disproportionate nor excessive.
- 13. I have considered the above arguments of Learned Counsels for the parties and I have gone through the submission made by both the parties. The following points has to be considered by this tribunal:
 - (i) Whether the action of Petitioner to remain absent from duty is for any sufficient and reasonable cause?
 - (ii) Whether the punishment imposed on Petitioner is excessive and disproportionate?
 - (iii) To what relief the Petitioner is entitled?
- 14. Point No. (I): It is undisputed fact that Petitioner.

 Sri E. Ram Babu has put in only 51 musters during the year.

 2003 and he remained absent without any prior sanction or leave. His contention is that he remained absent due to

knee phin and back pain and that he sustained injury during course of his duty and a piece of iron pierced in his leg which developed septic and several complications. This material fact stated in the claim petition was neither stated before the Enquiry Officer nor in the evidence produced in support of his contention. The Petitioner workman has alleged that he was not informed during course of departmental enquiry that he has to mark his documents. If he would have been informed about this aspect the Petitioner would have marked his documents, but to utter surprise of this tribunal the Petitioner has not produced any documents during course of enquiry or hearing of this case before this tribunal. Had the Petitioner been in possession of his medical certificates and prescriptions and he was not afforded opportunity to produce before Enquiry Officer, it was his bounden duty to produce those documents before this tribunal to prove that he was in possession of medical certificates which he could not produce due to ignorance or because the Enquiry Officer did not ask him to produce those documents. Nonproduction of the medical certificate during this proceeding goes to show that the Petitioner workman got no medical certificate nor he ever produced any certificate before the Enquiry Officer. His submission before this tribunal is merely imaginary and baseless. The Petitioner has contended that he was suffering from knee pain and spinal pain but no certificate has been produced by him. Thus, mere submission of the Petitioner that he was suffering from knee pain and spinal pain is not sufficient to hold that his absence was for valid and reasonable cause. I have gone through the enquiry proceeding file. Petitioner has stated before the Enquiry Officer that he was suffering from knee and spinal pain but he has categorically admitted that he remained absent without any reasonable cause and he pleaded guilty of the charges levelled against him. This submission of the Petitioner before the Enquiry Officer supported with the evidence of the management witnesses, the Enquiry Officer was fully justified in arriving at the conclusion that Petitioner was absent without any reasonable or sufficient cause and the charges of misconfluct under company's Standing Order Nos. 25.25 and 25.81 is proved is based on cogent reason and material available before the Enquiry Officer. I am fully in the agreement with the finding of the Enquiry Officer and the argument of the Learned Counsel for the Respondent that the Petitioner workman was afforded fair and ample opportunity during enquiry proceeding and the Petitioner workman has participated in the proceeding, witnesses were examined in his presence he himself has examined in his defence but he was not able to prove the reasonableness of his absence. Thus, this tribunal has come to the conclusion that the Petitioner workman worked for 51 days during the year 2003 and he remained absent without any reasonable and sufficient cause and thereby he has committed misconduct within the meaning of Standing Order Nos. 25 25 and 25.31. Point No. (1) is decided accordingly.

- 15. Point No. (II): It is established that Petitioner workman has put in only 51 musters during the entire period of 2003 without any reasonable and sufficient reason, he being a general mazdoor having remained absent even without any information to the department, as such, his conduct is improper and the management has committed no illegality in dismissing from service to such an employee who is careless towards his duties. The punishment imposed on the Petitioner is neither excessive nor disporprotionate to the misconduct proved against the Petitioner. Point No. (II) is decided accordingly.
- 16. Point No. (III): It is submitted by the Petitioner that the family of the Petitioner is being forced to starvation because the Petitioner has been dismissed from the service. I have considered this argument and I am of the view that the reason of the starvation of the family members of the Petitioner is the careless and negligent behaviour and habit of the Petitioner. He is responsible for the starvation of his family members, as such, any lenient attitude can not be taken in this matter. The Petitioner does not deserve any sympathy or relief from this tribunal. Point No. (III) is decided accordingly.
- 17. In view of the above discussion, this tribunal is of the opinion that Petition deserves to be dismissed and it is dismissed. Hence, this Award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant, transcribed by her corrected by me on this the 2nd day of November, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NII.

Documents marked for the Respondent

NIL

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 177.—औद्योगिक विवाद अधिनियम, 1947'(1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 43/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

[फा. सं. एल-22013/1/2010-आई आर(सी-II)] डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी New Delhi, the 24th December, 2010

S.O. 177.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 43/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 24-12-2010.

[No. L-22013/1/2010-IR(C-II)]
D. S. S. SRINIVASARAO, Desk Office

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 5th day of October, 2010

Industrial Dispute L. C. No. 43/2007

BETWEEN:

Sri Banoth Nageswar Rao, S/o Sakru, C/o Smt. A. Sarojana, Advocate, Flat No. G-7, Ground Floor, Rajeshwari, Gayatri Sadan, Opp. Badruka Jr. College for Girls, Kachiguda, Hyderabad

AND

Petitioner

- The General Manager,
 M/s Singareni Collieries Company Ltd.,
 Kothagudem Area, Kothagudem,
 Khammam District
- The Superintendent of Mines, M/s Singareni Collieries Company Ltd.,
 Incline, Kothagudem Area, Kothagudem, Khammam
 District
 Respondents

APPEARANCES:

For the Petitioner : M/s A. Sarojana & K. Vasudeva

Reddy, Advocates.

For the Respondent: M/s P.A.V.V.S. Sarma & Vijayalaxmi

Panguluri, Advocates.

AWARD

This petition under Sec. 2A (2) of the I. D. Act, 1947 has been filed by Sri Banoth Nageswar Rao; ex-badli filler

to set aside the termination order dated 26-6-2003 and to reinstate the Petitioner workman with full back wages.

- 2. It is alleged by the Petitioner that he was appointed as badli filler on 17-3-1997 and he was regular to his duties till 2001. During the year 2002 the Petitioner met with a road accident and he fell sick for some time and further his sister expired suddenly after 2 months of her marriage. All these impediments refrained the Petitioner not to be regular to his duties during the year 2002. A chargesheet dated 11-1-2003 was issued alloged that the Petitioner has worked for 99 days during 2002 which amount to misconduct under company's Standing Orders No. 25.25. The Petationer has submitted his explanation but the Respondent were not satisfied and ordered for departmental enquiry. The Faquiry Officer conducted the enquiry with pro-determined negion. The enquiry was not valid in nature. The Enquiry Officer submitted his report on the basis of a show cause notice to the Petitioner against which Petitioner submitted his reply on 26-2-2003. The Disciplinary Authority did not consider the submission made by the Petitioner and passed dismissal order of Petitioner vide order dated 26 6-2003. The Petitioner was absent due to ill-health and the same was stated by the Petitioner before the Enquiry Offices, no challenge was made from the side of the management as such, the submission made by the Petitioner would have been deemed to be correct but the Enquiry Officer tank not considered the submission made by the Petitioner Workman. He submitted his enquiry report with a pre-determined notion as such, the order passed on such enquiry report is bad and deserves to be quashed. Proper opportunity was not given to the Petitioner in the enquiry proceeding. Dismissal order based on that enquiry is illegal, arbitrary and is liable to be treated as bad in law. Hence, he mayed that the impugned order be quastied and the Respondent be directed to reinstate the Petitioner with back wages and all consequential benefits.
- 3. Management has submitted his reply allowing therein that Petitioner remained absent throughout your 2002 but for 99 days which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the computy and dismissal is not bad in the light of the case law repeated in 1996(1) SCC 302 State of U.P. and others Vs. Ashok Kumar Singh. Petitioner's contention that he was not afforded proper opportunity is incorrect. Due notices were given to the Petitioner to participate in the enquiry proceeding. The notice was acknowledged by the Petitioner and he participated in the enquiry proceeding. Politicater did not availed the assistance of co-worker though he was given the opportunity to take the help of a co-worker. Petitioner did not produce any sickness proof, thus he saided to produce any documentary evidence before the Enquiry Officer. During the years 1998 to 2003 also the Puticioner was not regular to his duties. Pertioniers we as follows:

Year	No. of musters put in
1998	167
1999	189
2000	121
2001	163
2002	099
2003	166

This prove that the Petitioner was not sincere to his work. He intentionally absented himself without any reason or cause. The company has provided medical facilities by establishing hospitals, the Petitioner did not report to the company hospital for his sickness thus, his submission that he was absent due to ill-health is unfounded, Enquiry Office has given his finding on the material placed before him by the management and no fault can be find in the enquiry report, it is based on evidence and Petitioner's dismissal order is not disproportionate to the misconduct committed by him since Petitioner was not regular to his duties company has dismissed him which is neither illegal nor invalid.

- evidence in support of their claims. Petitioner has filed perox copies of chargesheet dated 11-1-2003, enquiry proceeding, enquiry report and dismissal order dated 26-6-2003. However, the Respondent has charge sheet, acknowledgement of charge sheet, explanation submitted by the Petitioner, notice of enquiry, filed entire domestic enquiry proceedings, show cause notice issued to him, his explanation against show cause notice, reply to Petitioner and dismissal order.
- Before coming to the point of the legality of the order passed by the management it is pertinent to mention that Leurned Counsel for the Petitioner moved memo dated 11-11-2008 conceding the validity and legality of the domestic enquiry as such, the domestic enquiry was held to be legal and valid.
- d. I have heard counsely for the parties and has gone through the claim petition, counter statement and documents filed by the parties.
- It is admitted fact that the Petitioner has put in only 99 musters during the year 2002 for which a charge-sheet dated 1-1-2003 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent because of road accident he met with and sudden demise of his sister. It is also admitted that demestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge. In this case this tribunal has to consider:

- (1) Whether the absence of Petitioner during the year 2002 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not
- (2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner.
- Point No. 1: The Petitioner has submitted that he met with road accident during the year 2002 due to which he remained absent and put in 99 musters during the year 2002. His statement was recorded by the Enquiry Officer during the course of the enquiry, he stated that he worked for 99 days and remained absent for 193 days due to health problem and personal problems, but has not been able to provide any single document before the Enquiry Officer to substantiate his allegations. In his reply dated 26-2-2003 he simply written that he was not keeping good health and also due to family problems he could not attend to his duties regularly. As against this, the management has produced Sri R. Vijaya Kumar, O.S. to prove that Petitioner remained absent without any leave or without any intimation for 193 days during the year 2002 from January to December. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 2002 was due to sufficient reason. Though he stated that he was absent due to ill-health but he has not been able to provide any evidence or proof in support of his illness or treatment for his injuries caused by road accident. Even if it is presumed that Petitioner remained absent due to the ill-health or sudden death of his sister why he did not informed his superiors regarding the same has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence for 193 days during the year 2002 was based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.
- 9. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 2002 for 193 days, his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the company. Point No. 1 is decided accordingly.
- 10. Point No. 2: So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 2002 he has voluntarily admitted before the Enquiry Officer that he remained absent during 2002 and could attend only 99 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 1998, 1999, 2000, 2001 and in 2003 also which was not mentioned in the charge sheet. However, this fact was not

brought before the Enquiry Officer also. As such, the previous absence cannot be taken into consideration but the absence in the year 2002 for 193 days is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.

11. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is , required in the matter of the punishment. Point No. 2 is decided accordingly.

12. From the above discussion, this tribunal is of the considered opinion that the claim petition is imfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and hence, this award. dismissal orug.

Award passed accordingly. Transmitted homitmuco

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 5th day of October, 2010, 4. Parties were directe

> VED PRAKASH GAUR Presiding Office ifed Kerox copy of dismissal or Respondent has first charge sheet, po

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2801 े**का: ओ. 178. - अधि।** में विवाद अधिन्यम, 1947 (1947 का 14) की धारा 17 के अनुसरण में कुन्निय सामान एस और मी एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुमंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, हराबाद के पैचाट (सुद्ध सुरुप्तान स्वाहत है है) इन्हें का अधिकरण, हराबाद के पैचाट (सुद्ध सुरुप्तान स्वाहत है) इन्हें इन्ह करती है, जो केंद्रीय महतार को 24-12-12010 को कारत हुआ अप oale at it thisen 14 100 22013/1/2010 - 318 311 (4) the energy was conducted and rate of the the the tends in the tends of uc enquiry. On the paste 3 GV11-37

New Delhi, the 24th December, 2010

S.O. 178. In pursuance of Section 17 of the Industria Dispute Act, 1947 (14 of 1947), the Central Government increby publishes the award (Ref. No. 126/2006) of the Central Government Industrial Tribunal com-Labour Court, Hyderabad now as shown in the Annextire in the ladiu Dispute between the employers in relation to the management of SCCL and their workman watch seceived by the Central Government on 24-12-2010

> [No.L.220134/2010 PRO []) D.S. S. SRINIVASA RACO DIMORICE

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APPEARANCES:

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For the Petitioner M/s A. Sarojana & Kirkandaya Reddy Advocator Surror Value to

For the Respondent : M's PA.V.V.S. Samuel Constitution Pangulari, Advocates

worker Petaron

This petition under Sec. 2A(2) of 1. D. been filed by Sri Uppupleti Raja Moulli and mile aside the termination order dated and and is very the Petitioner werknam with full back ware

2. It is alleged by the Petitioner that he was appointed as BCF on 24-10-1989 under compassionate grounds, as the father of the Petitioner was declared as unfit on 8|4-1989 due to defective vision. He was regular to his dities till 1998. During the year 1998 the Petitioner suffered from Left Ureteric Calculus fower ends recurrently. He went to company's hospital for treatment who in turn referred him to the Osmania General Hospital, Hyderabad, adcordingly he was under treatment on various dates recurrently. A charge sheet dated 30-1-1999 was issued alleging that the Petitioner has absented from duty during 1998 which amount to misconduct under company's Standing Orders No. 25,25. The Petitioner has submitted his explanation but the Respondents were not satisfied and ordered for departmental enquiry. The Enquiry Officer conducted the enquiry with pre-determined notion. The enquiry was not valid in dature. The Enquiry Officer submitted his report. On the basis of enquiry report a show cause notice was issued to the Petitioner against which Pelitioner submitted his reply, the Disciplinary Authority passed dismissal order dated 20-8-1999 dismissing him w.ef. 25-8-1999 without considering the submission made by the Petitioner. The Petitioner was absent due to illhealth and the same was stated by the Petitioner before the Enquiry Officer, no challenge was made from the side of the management as such, the submission made by the Petkioner would have been deemed to be correct but the Enquiry Officer has not considered the submission made by the Petitioner workman. He submitted his enquiry report with a predetermined notion as such, the order passed on such enquiry report is bad and deserves to be quashed. Proper opportunity was not given to the Petitioner in the equity proceeding. Dismissal order based on that enquiry is illegal, arbitrary and is liable to be treated as bad in law. Hence, it is prayed that the impusmed order be quashed and the Respondent be directed to rejustate the Petitioner with back wages and all consequential benefits.

3. Management has submitted his reply alleging therein that Petitioner remained absent for the year 1998 which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the company and dismissal is not bad in the light of the case law reported in 1996(1) SCC 302 State of U.P. and others Vs. Ashok Kumar Singh. Petitioner's contention that he was not afforded proper opportunity is incorrect. Due notices were given to the Petitioner to participate in the enquity proceeding. The notice was acknowledged by the Petitioner and he participated in the enquiry proceeding. Petitioner did not availed the assistance of co-worker though he was given the opportunity to take the help of a coworker. Petitioner did not produce any sickness proof. thus he failed to produce any documentary evidence before the Enquiry Officer. As per Memorandum of Settlement dated \$1-2-2000 a decision was taken to review the cases of workmen dismissed on account of absenteeism by High Power Committee, which was to examine the cases of workmen who were absent during the period from 1-1-1997 to 31-12-1999, Petitioner's case was considered by the High Power Committee but in view of his poor performance since 1994 the Petitioner was not found fit for reappointment. The year-wise attendance is follows:

Year	Attendance	
1994	067	
1995	070	
1996	059	
1997	050	
1998	018.	
1999	007 (Upto 31-7-1999)	

This prove that the Petitioner was not sincere to his work. He intentionally absented himself without any reason or cause. The company has provided medical facilities by establishing hospitals, the Petitioner did not reported to the company hospital for his sickness thus, his submission that he was absent due to ill-health is unfounded, Enquiry Officer has given his finding on the material placed before him by the management and no fault can be find in the enquiry report, it is based on evidence and Petitioner's dismissal order is not disproportionate to the misoonduct committed by him since Petitioner was not regular to his duties company has dismissed him which is neither illegal nor invalid.

- 4. Parties were directed to produce documentary evidence in support of their claims. Petitioner has filed xerox copy of dismissal order. However, the Respondent has filed charge sheet, paper publication of charge sheet, outstation medical certificate, representation, notice of enquiry, entire domestic enquiry proceedings, acknowledgement and dismissal order.
- 5. Coming to the point of the legality and validity of domestic enquiry conducted by the management it is pertinent to mention that Learned Counsel for the Petitioner moved memo dated 30-1-2009 conceding the validity and legality of the domestic enquiry as such, the domestic enquiry was held to be legal and valid.
- 6. I have heard counsels for the parties and has gone through the claim petition, counter statement and documents filed by the parties.
- 7. It is admitted fact that the Petitioner has put in only 18 musters during the year 1998 for which a charge sheet dated 30-1-1999 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent because of ill-health. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis

of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge. In this case this tribunal has to consider:

- (1) Whether the absence of Petitioner during the year 1998 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not.
- (2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner.
- 8. Point No. 1: The Petitioner has submitted that he. was sick and suffering from depressive psycho and he was taking treatment at colliery hospitals and private hospitals due to which he remained absent during the year 1998 and put in 18 musters during the year 1998. His statement was recorded by the Enquiry Officer and during the course of. the enquiry, he stated that he worked for 18 days and remained absent for the rest of days in 1998 due to health problems, and submitted one medical certificate from Dr. R.R. Faria, Physician & Surgeon at M.G.M. Hospital, Warangal and not a single document/medical certificate from company's dispensary or hospital before the Enquiry Officer to substantiate his allegations. In his reply dated 15-5-1999 simply he wrote that he was not keeping good health due to which he could not attend to his duties regularly from 1-1-1998 to 23-4-1999. As against this, the management has produced Sri A. Davanand, Pay Sheet Clerk and Sri S. Nageswara Rao, Acting Clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 1998 from January to December. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 1998 was due to sufficient reason. Though he stated that he was absent due to ill-health but he is not able to provide any evidence or proof in support of his illness or treatment for ill-health. The medical certificate produced by workman during enquiry proceeding was not proved by summoning the concerned Doctor nor workman has informed his superiors regarding his absence, the reasons had not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 1998 was without sufficient and reasonable cause, is based on evidence and no fault can be find in the finding arrived at by the Enquiry Officer.
- 9. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 1998 his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the Company, Point No. 1 is decided accordingly.

- 10, Point No. 2: So far as the question of punishment is concerned the Petitioner has not been able to instity his absence during the year 1997, he has voluntarily admitted. before the Enquiry Officer that he remained absent during 1998 and could attend only 18 musters though the Respondent management has stated in the counterstatement that Petitioner remained absent during the years 1994 to 1998 and also after charge sheet which was not mentioned in the charge sheet. Moreover, this fact was not brought before the Enquiry Officer also. As such, the previous absence can not be taken into consideration but the absence in the year 1998 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starying due to dismissal of the Petitioner against, which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.
- 11. Lagree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is not a excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No. 2 is decided accordingly,
- 12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and it is dismissed. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gown, Parsonal Assistant transcribed by her corrected by me on this the 4th day of November, 2010.

VED PRAKASH GAUR, Presiding Officer
Appendix of Evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

MI

Documents marked for the Petitioner

NH.

Documents marked for the Respondent

NIL

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 179. - अंद्योगिक जियाद अधिनियम, 1947 (1947 का 4) की धारा 17 के अमुसरण में किन्द्रीय सरकार एस.सी.सी.एल. के बिध तंत्र के संबद्ध नियां की और इनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विकास में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदएबाद के पंचाट (संदर्भ संबद्ध 122/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

्रसं एल-22013/1/2010-आई आर(सी-II)] डी. एस. एस. औनियास राव, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 179—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 122/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 24-12-2010

[No.1-22013/1/2010-IR(C-II)]
D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL THERWAL CUM-LABOUR COURTAT HYDERAGAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 5th day of October, 2010

INDUSTRIAL DISPUTE L.C. NO. 122/2007

BRIWEEN:

Sri D.A. Michale,
S/o D. Thomas
C/o Smt. A. Sarojana, Advocate,
Flat No. G7, Ground Floor, Rajeshwari,
Gayatri Sadan, Opp. Badruka Jr. College
For Girls, Kachiguda,
Hyderabad ... Petitioner.

AND

- The General Manager, M/s. Singareni Collecties Company Ltd., Mandamarri Area, Mandamarri,
- 2. The Sr Divisional Engineer,
 M/s. Singareni Collieries Company Ltd.,
 Area Workshop, Mandamarri Area, Mandamarri,
 Adilabat District
 Respondents

APPEARANCES:

For the Petitioner : M/s. A. Sarojana and K. Vasudeva

Reddy, Advocates.

For the Respondent: M/s. P.A.V.V.S. Sarma and Vijaya-

laxmi Panguluri, Advocates.

AWARD

This petition under Sec. 2A(2) of I. D. Act, 1947 has been filed by Sri D.A. Michale, ex-badli to set aside the termination order dated 8-12-2000 and to reinstate the Petitioner workman with full back wages.

2. It is alleged by the Petitioner that he was appointed as driver on 12-8-1982 and promoted as Loader Operator in 1985, he was regular to his duties from the date of his appointment, A proceeding No. P/RKP/16/97/2516 dated 27-9-1997 was issued by Respondent No. 1 alleging that chargesheet dated 24-8-1996 was issued under Company Standing Orders No. 25.25 and 25.31 for habitual absenteeism during the year 1996 and thereafter an expane enquiry was conducted and the Petitioner was dismissed from service. It is submitted that Petitioner's son expired during the year 1996, due to that abyss, Petitioner's mental status was lost and he has undergone treatment in his native village. During his ill-mental status, he was not informed about the issuance of the chargesheet and other proceedings. The Petitioner's wife has submitted several representations explaining the mental disorderliness of her husband before issuance of the impugned order dated 27-9-1997. The Enquiry Officer conducted the enquiry with pre-determined notion. The enquiry was not valid in nature. The Enquiry Officer submitted his report and the Disciplinary Authority did not consider the submission made by the Petitioner's wife and passed dismissal order on Petitioner vide order dated 27-9-1997. The Petitioner was absent due to ill-health and the same was represented by the wife of Petitioner before Respondents. The Enquiry Officer conducted exparte enquiry as such, the order passed on such enquiry report is bad and deserves to be quashed. Proper opportunity was not given to the Petitioner. He prayed to declare the impugned order of the Respondent No. 1 dated 27-9-1997 as illegal and arbitrary and set aside the same and consequently direct the Respondents to reinstate the Petitioner into service with continuity, of service, back wages and all other attendant benefits.

3. Management has submitted his reply alleging therein that Petitioner remained absent during the year 1996 which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the Company and dismissal is not bad in the light of the case law reported in 1996(1) SCC 302 State of U.P. and Others Vs. Ashok Kumar Singh. It is submitted that the Petitioner

was initially appointed in the Respondent's Company on 12-7-1982 and was promoted as Terex Operator (Loader Operator). It is submitted that Petitioner was absent from 29-3-1996 without sanctioned leave or sufficient cause which constituted misconduct under Company's Standing Orders No. 25.25, thereby he was issued with chargesheet which was sent to his residential address under registered post acknowledgement due but, the same was returned undelivered by Postal Authorities. Then, the chargesheetcum-enquiry notice was published in Telugu Daily Andhra Jyothi dated 20-10-1996 advising the Petitioner to attend the enquiry on 24-10-1996 but he did not attend the enquiry on that date, hence, an ex parte enquiry was conducted into the charges levelled against the Petitioner and held the Petitioner guilty of the charges. After the conduct of the enquiry, enquiry report was sent to the Petitioner, as it could not be served on the Petitioner a notice was published in Telugu daily Andhra Jyothi dated 23-6-1997 advising the Petitioner to collect a copy of the enquiry report from the office of the General Manager, Ramakrishnapur to. submit his representation, if any. However, his wife Mrs. Michael, submitted a representation dated 21-6-1997. stating therein that her husband Mr. D. A. Michale was suffering from mental illness and was under treatment, as per the advise of Doctors he needs time for recovery and hence, requested some time to enable him to report for duty. It is submitted that this representation was not considered because the Petitioner has not applied for any leave or he did not report sick in Colliery Hospital. The Respondent Company has been operating dispensaries, area hospitals and main hospital to extend medical aid to its employees and their families. Petitioner or his wife has not submitted any documentary evidence in support of the alleged mental illness of the Petitioner. The company has provided medical facilities by establishing hospitals, the Petitioner did not reported to the company hospital for his sickness thus, the submission that he was absent due to ill-health is unfounded. Enquiry Officer has given his finding on the material placed before him by the management and no fault can be find in the enquiry report, it is based on evidence and Petitioner's dismissal order is not? disproportionate to the misconduct committed by him since Petitioner was not regular to his duties company has. dismissed him which is neither illegal nor invalid.

4. Parties were directed to produce documentary evidence in support of their claims. Petitioner has filed xerox copies representation dated 21-6-97 and dismissal order dated 27-9-1997. However, the Respondent has filed chargesheet, undelivered chargesheet with postal cover, paper notification of notice of enquiry along with chargesheet, enquiry proceedings enquiry report, representation of Mrs. Michale, wife of chargesheeted employee, paper publication intimating the Petitioner to receive copy of enquiry proceedings and enquiry report and dismissal order.

- 5. Coming to the point of legality and visidity of domestic enquiry conducted by the management it is pertinent to mention that Leanned Counted for the Positions, moved means dated 27-1-2610 consoding the visidity and legality of the domestic enquiry as such, the domestic enquiry was held to be legal and valid.
- 6. I have heard counsels for the parties and has gote through the claim petition, counter statement and documents filed by the parties.
- 7. It is admitted fact that the Politicals was absent from duties from 29-3-1996 or which is chargesheet dated 24-8-1996 was issued to the Politicals which was returned undelivered. After that paper softlication was issued regarding instruce of chargesheet and subsequent enquiry to be conducted. It is also admitted that an inner enquiry was conducted. On the basis of the report submitted by the Enquiry Officer disminstrational ordinates been passed against the Political which is under challenge. In this case this tribunal has to consider.
 - (1) Whether the absence of Petitioner during the year 1996 was for any autiliciant and reasonable cause or not and the report of Enguiry Officer is, based on evidence or not?
 - (2) Whether the punishment imposed upon the Petitioner is disproportionate to the inice conduct committed by the Petitioner 2
- 8. Point No. 1: The Petitioner has submitted that he remained ill during the year 1996 suffered with mental illness due to his son's death and he required absent during the year 1996. He did not attend enquiry proceeding. Ex parte enquiry has been conducted, charges against him held proved and he was dismissed. Neither the Petitioner nor his wife was able to produce any documentary evidence showing his mental filmess, or proof of his treatment in company's hospital or other hospitals, due to which he remained absent. Workman has not provided any single document before Respondent to substantiate his allegations. In the representation submitted by wife of Petitioner it is simply written that workman was mentally ill and some more time be given to him to join his disties as he is still under treatment. No supporting documents/ prescriptions/reports were enclosed. As against this, the management has produced Sri.A. Uday Mehan, Clerk and Sri P. Prasada Rao, Clerk at CSP, RKP to prove that Petitioner remained absent without any leave or without any intimation during the year 1996 from March to December. Since absence of the Petitioner was proved in enquiry it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 1996 was due to sufficient reason. Though he stated that he was absent due to ill-health but he has not provided

any evidence or proof in support of his illness. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 1996 was based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.

- 9. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 1996, his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 and 25.31 of the Standing Orders of the company. Point No. 1 is decided accordingly.
- Point No. 2: So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 1996. The absence in the year 1996 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissa against the Petitioner. The Pearned Counsel for the Petitioner has argued that the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, as such, the punishment was proper and interference is not required in this case.
- 11. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, po interference is required in the matter of the principles. Point No. 2 is decided a cordingly.
- 12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this sine. Petitioner is not entitled for any relief, petition deserves to be dismissed, it is dismissed and hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gown, Personal Assistant transcribed by her corrected by me on this the 5th day of October, 2010

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NII

NL

Documents marked for the Petitioner

NIL

Documents marked for the Mespondent

NIL

नई दिल्ली, 24 दिसम्बर, 2010 <

का. आ. 180.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 3/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

[सं. एल-22013/1/2010-आई आर(सी-II)] डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 180.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 3/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 24-12-2010

[No. L-22013/1/2010-IR(C-II)]
D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT &

Shri Ved Prakash Gaur, Presiding Officer.

Dated the 4th day of November, 2010

INDUSTRIAL DISPUTE L.C. NO. 3/2007

BETWEEN:

Sri Noone Sammaiah,
S/o Ramulu
C/o Smt. A. Sarojana, Advocate,
Flat No. G-7, Ground Floor, Rajeshwari,
Gayatri Sadan, Opp. Badruka Jr. College
For Girls, Kachiguda,
Hyderabad
... Petitioner

CIM

- The General Manager, M/s. Singareni Collieries Company Ltd., Mandamarri, Adilabad District
- The Colliery Manager/Superintendent of Mine, M/s. Singareni Collieries Company Ltd., KK-5 Incline, Mandamarri, Adilabad District Respondents

APPEARANCES:

For the Petitioner : M/s. A. Sarojana and K. Vasudeva

Reddy, Advocates

For the Respondent : M/s. P.A.V.V.S. Sarma and Vijaya-

laxmi Panguhiri. Advocates

AWARD

This petition under Sec. 2A (2) of I. D. Act, 1947 has been filed by Sri Noone Sammaiah ex-badli filler to set aside the termination order dated 28-10-1998 and to reinstate the. Petitioner workman with full back wages.

2. It is alleged by the Petitioner that he was appointed: as badli filler on 9-5-1991 and later he was confirmed as coal filler in the year 1996. He was regular to his duties till 1996. During the year 1997 the Petitioner fell sick for some time and he has undergone appendicitis operation. All these impediments refrained the Petitioner not to be regular to his duties during the year 1997. A chargesheet dated 28-3-1998 was issued alleging that the Petitioner has worked for 50 days during 1997 which amount to misconduct under company's Standing Orders No. 25.25. The Petitioner has submitted his explanation but the Respondent were not satisfied and ordered for departmental enquiry. The Enquiry Officer conducted the enquiry with pre-determined notion. The enquiry was not valid in nature. The Enquiry Officer submitted his report. On the basis of enquiry report a show cause notice was issued to the Petitioner against which Petitioner submitted his reply, the Disciplinary Authority passed dismissal order dated 28-10-1998 without considering the submission made by the Petitioner was absent due to ill-health and the same was stated by the Petitioner before the Enquiry Officer, no challenge was made from the side of the management as such, the submission made by the Petitioner would have been deemed to be correct but the Enquiry Officer has not considered the submission made by the Petitioner workman. He submitted his enquiry report with a pre-determined notion as such, the order passed on such enquiry report is bad and deserve to be quashed. Proper opportunity was not given to the Petitioner in the enquiry proceeding. Dismissal order based on that enquiry is illegal, arbitrary and is liable to be treated as bad in law. Hence, it is prayed that the impugned order be guashed and the Respondent be directed to reinstate the Petitioner with back wages and all consequential benefits.

3. Management has submitted his reply alleging therein that Petitioner remained absent for the year 1997 but for 50 days which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the company and dismissal is not bad in the light of the case law reported in 1996(1) SCC 302 State of U.P. and Others Vs. Ashok Kumar Singh. Petitioner's

contention that he was not afforded proper apportunity as incorrect. Due notices were given to the Petitioner to participate in the enquiry proceedings. The notice was acknowledged by the Petitionar and he participated in the enquiry proceeding. Petitioner did not availed the an of co-worker though he was given the opportunity to take the help of a co-worker. Petitioner did not produce any sickness proof, thus he failed to produce any documentary evidence before the Enquiry Officer. During the year 1995 to 1998 also the Petitioner was not regular to his duties. He has put in 121, 50 and 39 musters in the years 1995, 1997. and 1998 respectively and in the year 1996 built he get 182. musters. This prove that the Petitioner was not smoose to his work. He intentionally absented himself without any reason or cause. The company has provided medical facilities by establishing hospitals, the Petitioner did not reported to the company hospital for his sackness these the submission that he was absent due to Hi-health is unfounded, Enquiry Officer has given his finding on the material placed before him by the maringement and no in can be find in the enquiry report, it is based on evidence and Petitioner's diamissal order is not disproportionate to the misconduct committed by him since Petitioner was not regular to his duties company has distrissed him which is neither illegal nor invalid.

- 4. Parties were directed to produce evidence in support of their claims. Fethioner has filed zerox expine of enquiry proceeding consists of report and dismissal order dated 28-10-1998. However, the Respondent has filed chargesheet, acknowledgement of chargesheet, explanation submitted by the Petitioner, notice of enquiry, entire domestic enquiry proceedings, show cause notice issued to him, his explanation against show cause notice and dismissal order.
- 5. Coming to the point of legality and validity of domestic enquiry conducted by the management it is pertinent to mention that Learned Country for the Petitioner moved memo dated 17-2-2009 conceding the validity and legality of the domestic enquiry its such, the somestic enquiry was held to be legal and valid.
- 6. I have heard counsels for the parties and has gone through the claim petition, counter statement and documents filed by the parties.
- 7. It is admitted fact that the Potitioner has put in only 50 musters during the year 1997 for which a chargesheet dated 25/28-3-1998 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent because of ill-health. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry. Officer dismissal order has been passed against the Petitioner which is under challenge. In this case this tribunal has to consider:

- (1) Whether the absence of Petitioner during the year 1997 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?
- (2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?
- 8. Point No. 1: The Petitioner has submitted that he was sick and had undergone appendicies operation due to which he remained absent during the year 1997 and put in 50 musters during the year 1997. Fits gratement was recorded by the Enquiry Officer, during course of the enquiry he stated that he worked for 50 days and remained absent for the rest of days in 1997 due to smally problems. But has not been able to provide any single document before the Enouny Officer to substantiate his affectations. In his reply dated 17-7-98 he wrote that he was not keeping good health due to which he could not attend to his duties regularly. As against this, the management has produced Sri. K. Rajamathi, Spl. Grade Clerk and Sri K. Ranga Rao, Spl. Grade Clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 1997 from January to December. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 1997 was due to sufficient reason. Through he stated that he was absent due to ill-health but he has not able provide any evidence or proof in support of his libress of treatment for ill-health. Even if it is presumed that Pelitioned remained absent due to the ill-health why he did not inform his superiors regarding the same has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 1997 with based on evidence and reasoning and an fluit can be selful the finding arrived at by the Engelry Officer e constitution of the constitution of
- 9. This tribupal is also of the opinion that the Petitioner remained absent will but any intimation to his employer during the year 1997, his absence was without any reasonable of sufficient cause and thereby the Petitioner has committed indicanduct mentioned in para 25.25 of the Standing Orders of the company. Point No. 1 is decided accordingly.
- 10. Point No. 2: So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 1997, he has voluntarily admitted before the Enquiry Officer that he remained absent during 1997 and could attend only 50 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 1995, 1996 and in 1998 also which was not mentioned in the chargesheet. However, this fact was not brought before

the Enquiry Officer also. As such, the previous absence cannot be taken into consideration but the absence in the year 1997 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.

- 11. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No. 2 is decided accordingly.
- 12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed, and it is dismissed. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 4th day of November, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined

Witnesses examined for the

for the Petitioner Respondent

NIL NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 181.—औद्योगिक विवाद अधिनियुम् 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरक्रकास सीसी एउ. के प्रबंधतंत्र के संबद्ध नियोजकों और उनकी कर्मकार के सेव अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 46/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

> [सं. एल-22013/1/2010-आई आर(सी-II)] डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 181.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 46/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 24-12-2010

[No. L-22013/1/2010-IR(C-II)] D. S. S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT `HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 3rd day of November, 2010

INDUSTRIAL DISPUTE L.C. NO. 46/2007

BETWEEN:

Sri Pulipaka Mallesh,
S/o Yellaiah,
C/o Smt. A. Sarojana, Advocate,
Flat No. G7, Ground Floor, Rajeshwari,
Gayatri Sadan, Opp. Badruka Jr. College
For Girls, Kachiguda,
Hyderabad Petitioner

AND

- The General Manager, M/s. Singareni Collieries Company Ltd., Mandamarri Area, Mandamarri, Adilabad District
- The Superintendent of Mines,
 M/s. Singareni Collieries Company Ltd.,
 KK-1 Incline, Kalyankhani,
 Adilabad District ... Respondents

APPEARANCES:

For the Petitioner: M/s. A. Sarojana and K. Vasudeva Reddy, Advocates.

For the Respondent: M/s. P.A.V.V.S. Sarma and Vijayalaxmi Panguluri, Advocates

AWARD

This petition under Sec. 2A (2) of the I. D. Act, 1947 has been filed by Sri Pulipaka Mallesh, ex-badli filler in light of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others to set aside the termination order dated 8-12-2000 and to reinstate the Petitioner workman with full back wages.

2. It is alleged by the Petitioner that he was appointed as badli filler on 6-6-1990 and he was regular to his duties from the date of his appointment till 1998. The Petitioner suffered with ill-health due to Tuberculosis and other family problems, as such he could not be regular to his duties in the year 1999. He took treatment in company's hospital and also from government hospital at Peddapalli. A chargesheet dated 19-1-2000 was issued alleging that the Petitioner could not be regular during the year 1999 which amount to misconduct under company's Standing Orders No. 25.25. The Petitioner has submitted his explanation but the Respondents were not satisfied and ordered for departmental enquiry. The Enquiry Officer conducted the enquiry with pre-determined notion. The enquiry was not valid in nature. The Enquiry Officer submitted his report on the basis of a show cause notice dated 13-8-2000 to the Petitioner against which Petitioner submitted his reply on the 18-9-2000. The Disciplinary Authority did not consider the submission made by the Petitioner and passed diamissal order of Petitioner w.e.f. 14-12-2000 vide order dated 8-12-2000. The Petitioner was absent due to ill-health and the same was stated by the Petitioner before the Enquiry Officer, no challenge was made from the side of the management as such, the submission made by the Petitioner would have been deemed to be correct but the Enquiry Officer has not considered the submission made by the Petitioner workman. He submitted his enquiry report with a pre-determined notion as such, the order passed on such enquiry report is bad and deserve to be quashed. Proper opportunity was not given to the Petitioner in the enquiry proceeding. He prayed to declare the impugned order of the Respondent No. 1 dated 8-12-2000 as illegal and arbitrary and set aside the same and consequently direct the Respondents to reinstate the Petitioner into service with continuity of service, back wages and all other attendant benefits.

3. Management has submitted his reply alleging therein that Petitioner remained absent during the year 1999 which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the company and dismissal is not bad in the light of the case

law reported in 1996(1) SCC 302 State of U.P. and Others Vs. Ashok Kumar Singh. It is submitted that the Petitioner was initially appointed in the Respondent's company on 15-6-1990 as badli filler. It is submitted that Petitioner has put in only 23 musters in the year 1999 which constituted misconduct under Company's Standing Orders No. 25.25, thereby he was issued with chargesheet dated 19-1-2000. Petitioner submitted his explanation dated 19-2-2000 which is not satisfactory. Petitioner's contention that he was not afforded proper opportunity is incorrect. Due notices were given to the Petitioner to participate in the enquiry proceedings. The notice was acknowledged by the Petitioner and he participated in the enquiry proceeding. Petitioner did not availed the assistance of co-worker though he was given the opportunity to take the help of a coworker. Petitioner did not produce any sickness proof, thus he failed to produce any documentary evidence before the Enquiry Officer. During the year 1997 to 2000 also the Petitioner was not regular to his duties. In the year 1997 he put in only 17 musters, in 1998—89 musters, in 1999—23 musters and in the year 2000 he had put in 14 musters. This prove that the Petitioner was not sincere to his work. · He intentionally absented himself without any reason or cause. The company has provided medical facilities by establishing hospitals, the Petitioner did not reported to the company hospital for his sickness thus, his submission that he was absent due to ill-health is unfounded. Enquiry Officer has given his finding on the basis of material placed before him by the management and no fault can be find in the enquiry report, it is based on evidence and Petitioner's dismissal order is not disproportionate to the misconduct committed by him since Petitioner was not regular to his duties company has dismissed him which is neither illegal nor invalid.

- 4. Parties were directed to produce documents evidence in support of their claims. Petitioner has filed xerox copies of chargesheet dated 19-1-2000, enquiry report, enquiry proceeding and dismissal order dated 8-12-2000. However, the Respondent has filed chargesheet with acknowledgement, explanation of the Petitioner, notice of enquiry, entire domestic enquiry proceedings, enquiry report, show cause notice issued to him and dismissal order.
- 5. Coming to the point of the legality and validity of domestic enquiry held by the management it is pertinent to mention that Learned Counsel for the Petitioner moved mento dated 27-2-2009 conceding the validity and legality of the domestic enquiry as such, the domestic enquiry was held to be legal and valid.
- 6. I have heard counsels for the parties and has gone through the claim petition, counter statement and documents filed by the parties.
- 7. It is admitted fact that the Petitioner has put in only 23 musters during the year 1999 for which a

chargesheet dated 19-1-2000 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent because of ill-health and family problems. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge. In this case this tribunal has to consider,

- (1) Whether the absence of Petitioner during the year 1999 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?
- (2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?
- 8. Point No. 1: The Petitioner has submitted that he remained ill during the year 1999 as he suffered from Tuberculosis and other ailments due to which he remained absent and put in 23 musters during the year 1999. His statement was recorded by the Enquiry Officer, during the course of the enquiry he stated that he worked for 23 days and remained absent during the year 1999 for the rest of days due to health problems and personal problems. He suffered from Tuberculosis and other ailments due to which he remained absent but has not been able to provide any single document before the Enquiry Officer to substantiate his allegations. In his reply dated 19-2-2000 he simply written that "I have been suffering with T.B., my family members were also suffering as same with me". As against this, the management has produced Sri J. Rajam, Office Supdt. and Sri D. V. Prasada Rao, Spl. Grade Clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 1999 from January to December and attended only for 23 musters. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 1999 was due to sufficient reason. Though, he stated that he was absent due to ill-health and as he was suffering from Tuberculosis but he has not provided any evidence or proof in support of his illness or illness of any of his family members. Even if it is presumed that Petitioner remained absent due to the ill-health of his family members why he did not inform his superiors regarding his illness has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 1999 was based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.
- 9. This Tribunal is also of the opinion that the Petitioner remained absent without any intimation to his

employer during the year 1999, except for 23 days, his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the Company. Point No. 1 is decided accordingly.

10. Point No. 2: So far as the question of runishment is concerned the Petitioner has not been able to justify his absence during the year 1999 he has voluntarily admitted before the Enquiry Officer that he remained absent during 1999 and could attend only 23 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 1997 and in 1998 which was not mentioned in the chargesheet. However, this fact was not brought before the Enquiry Officer also. As such, the previous absence cannot be taken into consideration but the absence in the year 1999 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with-sincerity as such, the punishment was proper and, interference is not required in this case.

- 11. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither. excessive nor disproportionate and Petitioner is not a deserving person for any lenient view, to be taken in favour. of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No. 2 is decided accordingly.
- 12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed, it is dismissed and hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 3rd day of November, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of Evidence

Witnesses examined for the Petitioner

NIL

Witnesses examined for the

Respondent

NIL

Documents marked for the Petitioner

NIL .

Documents marked for the Respond

NIL

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 182.—औद्योगिनः विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस:सी.सी.एल. के प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्यकारों के बीच, अनुबंध में निर्दिप्ट और्ग्योपिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 45/2007) को प्रकाशित करा है, जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

> [सं. एल-22013/1/2010-आई. आर.(सी-11)] डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 182.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 45/2007) of the Central Government Industrial Tribunal-cum-Labour Courts Hyderabad as shown in the Annexure in the industrial dispute between the employers in relation to the management of SCCL and their workman, received by the Central Government on 24-12-2010

> [No.1-22013/1/2010-IR(C-II)] D S. S. SRINT ASA RAC Busk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR-COURT AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer.

Dated the 2nd day of November, 2010

INDUSTRIAL DISPUTE L.C. NO. 45/2007

BETWEEN:

Sri Beesaboina Ravinder, S/o Rajamallu, C/o Smt. A. Sarojana, Advocate, Flat No. G7, Ground Floor, Rajeshwari, Gayatri Sadan, Opp. Badruka Jr. College For Girls, Kachiguda, Hyderabad.

Petitioner

And

- 1. The General Manager, M/s. Singareni Collieries Company Ltd., Mandamarri, Adilabad District
- 2. The Colliery Manager/Superintendent of Mines, M/s. Singareni Collieries Company Ltd., KK-1 Incline, Mandamarri **Adilabad District** ... Respondents

APPEARANCES:

For the Petitioner

: M/s. A. Sarojana and K. Vasudeva

Reddy, Advocates.

For the Respondent: M/s. P.A.V.V.S. Sarma and Vijayalaxmi Panguluri, Advocates.

AWARD

This petition under Sec. 2A(2) of the I. D. Act, 1947 has been filed by Sri Beesabonia Ravinder, ex-badli filler to set aside the termination order dated 25-4-1999 and to reinstate the Petitioner workman with full back wages.

2. It is alleged by the Petitioner that he was appointed as badli filler on 15-12-1988. He was regular to his duties but during the year 1997 the Petitioner suffered with illhealth, i.e., Gastrological problems and Typhoid and other family problems, as such he could not be regular to his duties. His father and wife expired, resulting in great mental agony and family disturbance to the Petitioner which also contributed to his irregular attendance. A chargesheet dated 2013-1998 was issued alleging that the Petitioner was not regular to his duties during the year 1997 which amount to misconduct under Company's Standing Orders No. 25.25. The Petitioner has submitted his explanation but the Respondent were not satisfied and ordered for departmental enquiry. The Enquiry Officer conducted the enquiry with pre-determined notion. The enquiry was not valid in nature. The Enquiry Officer submitted his report on the basis of a show cause notice dated 31-12-1998 to the Petitioner against which Petitioner submitted his reply. The Disciplinary Authority did not consider the submission made by the Petitioner and passed dismissal order of Petitioner w.e.f. 4-1-1999 vide order dated 25-4-1999. The Petitioner was absent due to ill-health and the same was stated by the Pelitioner before the Enquiry Officer, no challenge was made from the side of the management as such, the submission made by the Petitioner would have been deemed to be correct but the Enquiry Officer has not considered the submission made by the Petitioner workman. He submitted his enquiry report with a predetermined notion as such, the order passed on such enquiry report is bad and deserve to be quashed. Proper opportunity was not given to the Pelitioner in the enquiry proceeding. The action of the Respondents in dismissing the Petitioner from service is illegal, arbitrary, violative of principles of natural justice and hence, be set aside directing the Respondents to reinstate the Petitioner with all consequential benefits

- 3. Management has submitted his reply alleging therein that Petitioner remained absent for the year 1997 which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the company and dismissal is not bad in the light of the case law reported in 1996(1) SCC 302 State of U.P. and others Vs. Ashok Kumar Singh. Petitioner's contention that he was not afforded proper opportunity is incorrect. Due notices were given to the Petitioner to participate in the enquiry proceeding. The notice was acknowledged by the Petitioner and he participated in the enquiry proceeding. Petitioner did not availed the assistance of co-worker though he was given the opportunity to take the help of a co-worker. Petitioner did not produce any sickness proof, thus he failed to produce any documentary evidence before the Enquiry Officer. During the years 1995, 1996 and 1997 also the Petitioner was not regular to his duties. In the year 1995 he had put in 73 musters, in 1966—22 musters, and 1997 he had put in 44 musters. After chargesheet was given, in the year 1998 also he had put in only 16 musters and upto 4-5-1999 'Nil' musters. This proves that the Petitioner was not sincere to his work. He intentionally absented himself without any reason or cause. The company has produced medical facilities by establishing hospitals, the Petitioner did not reported to the company hospital for his sickness thus, his submission that he was absent due to ill-health is unfounded, Enquiry Officer has given his finding on the material placed before him by the management and no fault can be find in the enquiry report, it is based on evidence and Petitioner's dismissal order is disproportionate to the misconduct committed by him since Petitioner was not regular to his duties company has dismissed him which is neither illegal nor invalid.
- 4. Parties were directed to produce documentary evidence in support of their claims. Petitioner has filed enquiring proceeding, enquiry report and dismissal order dated 25-4-1999. However, the Respondent has filed chargesheet, explanation to chargesheet, entire domestic enquiry proceedings file, show cause notice issued to him, his explanation against show cause notice, copy of the statement of the witnesses and that of the Petitioner himself and dismissal order.
- 5. Coming to the point of the legality and validity of domestic enquiry held by the management it is pertinent to mention that Learned Counsel for the Petitioner moved memo dated 5-3-2009 conceding the validity and legality of the domestic enquiry as such, the domestic enquiry was held to be legal and valid.
- 6. I have heard counsels for the parties and has gone through the claim petition, counter statement and documents filed by the parties.

- 7. It is admitted fact that the Petitioner has put in only 14 musters during the year 1997 for which a chargesheet dated 20-3-1998 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absentdue to ill-health and family problems. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge. In this case this Tribunal has to consider:
 - (1) Whether the absence of Petitioner during the year 1997 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?
 - (2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?
- 8. Point No. 1: The Petitioner has submitted that he remained il! during the year 1997 due to which he remained absent and put in 14 musters during the year 1997. His statement was recorded by the Enquiry Officer and during the course of the enquiry he stated that he worked for 14 days and remained absent for the rest of days due to health problems and personal problems. His wife and father both expired resulting in mental agony and family. disturbance to Petitioner. But has not been able to provide any single document before the Enquiry Officer to substantiate his allegations. In his reply dated 22-4-1998 he has not mentioned that his wife and father passed away in the year 1997. He simply written that he could not perform his duty due to his suffering from stomach pain and typhoid fever and also untold troubles. As against this, the management has produced Sri A. Prakash, Clerk Gr. I and Sri D.V. Prasada Rao, Spl. Grade Clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 1997. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was unable to prove that his absence during the year 1997 was due to sufficient reason. Though, he stated that he was absent due to ill-health but he is not able to provide any evidence or proof in support of his illness or illness of any of his family members. Even if it is presumed that Petitioner remained absent due to the ill-health why he did not informed his superiors regarding his illness, has not been explained by the Petitioner. He has not disclosed the date of death of his wife or his father. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 1997 was without reason and sufficient cause, is based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.

- 9. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 1997, his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the company. Point No. 1 is decided accordingly.
- 10. Point No. 2: So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 1997, he has voluntarily admitted before the Enquiry Officer that he remained absent during 1997 and could attend only 14 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 1995 and 1996 also which was not mentioned in the chargesheet. However, this fact was not brought before the Enquiry Officer also. As such, the previous absence cannot be taken into consideration but the absence in the year 1997 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.
- 11. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view, to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No. 2 is decided accordingly.
- 12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed, and hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 2nd day of November, 2010.

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 183.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंध ने के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 92/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

. [सं. एल-22013/1/2010-आईआर(सी-11)] डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.D. 183.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 92/2007) of the Central Government Industrial Tribunal-cum-Labour Court. Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 24-12-2010

[No. L-22013/1/2010-IR(C-II)]
D. S. S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

PRESENT:

Shri Ved Prakash Gaur, Presiding Officer

Dated the 26th day of November, 2010

Industrial Dispute L. C. No. 92/2007

BETWEEN:

Goliwada Raja Babu, C/o Smt. A. Sarojana, Advocate, Flat No. G-7, Ground Floor, Rajeshwari, Gayatri Sadan, Opp. Badruka Jr. College For Girls, Kathiguda, Hyderabad

... Petitioner

AND

- The Chief General Manager, M/s Singareni Collieries Company Ltd., Ramagundam Area-1, Ramagundam, Godavarikhani
- The Managing Director (Admn.), M/s Singareni Collieries Company Ltd.,

Post: Kothagudem, Distt.: Khammam

. . . Respondents

APPEARANCES:

For the Petitioner

: Sri S. Bhagawantha Rao, Advocate.

For the Respondent: M/s, P.A.V.V.S. Sarma and Vijaya-

laxmi Panguluri, Advocates.

AWARD

This petition under Sec. 2A (2) of the I. D. Act, 1947 has been filed by Sri Goliwada Raja Bubu, ex-employee of M/s. Singareni Collieries Company Ltd., challenging the order of dismissal dated 22-3-2001 and for his reinstatement in service with all the back wages and consequential benefits.

- 2. It has been alleged in the claim petition that the Petitioner was appointed as badli filler on 31-7-1996. He has completed B. Com. and P.G. diploma in Personal Management and Industrial Relationship and having Higher certificates of typing in Telugu and English languages. While working so he was issued with the chargesheet dated 12-8-98 for his absenteeism from duty. The Petitioner was totally sick. He sustained mine accident, his both legs were fractured. He sustained injuries in his head and has taken treatment in area hospital. He has put in 130 musters in 1996, 250 musters in 1997, 103 musters in 1998. However, vague removal order was issued under company's Standing Orders No. 25.25. Before order of removal enquiry was conducted, but no document was supplied to the Petitioner neither memo of charge or chargesheet no subsistence allowance was allowed to the Petitioner. The entire enquiry is null and void for nonpayment of subsistence allowance. No proper opportunity was afforded to the Petitioner. The Petitioner was called upon to participate at Kothagudem for consideration of his case along with other case of absenteeism. The Petitioner attended the meeting on 21-4-2003 but no relief was granted to the Petitioner. Petitioner made several requests but no heed was paid hence, he is forced to file the petition after six years of his dismissal from service.
- 3. Respondent management has filed counter statement wherein it is submitted that the post of badli filler does not require any educational qualification. The Petitioner was appointed as badli filler on 31-7-1996, he

used to remain absent. He put in only 71 musters during the year 1997, as such a charge sheet was issued to him. The Petitioner has not put in 130 musters in 1996, 250 musters in 1997 or 103 musters in 1998. He has put in 95 musters in 1996, 71 musters in 1997, 3 musters in 1998 and 32 musters in 1999. This prove that the Petitioner is a habitual absentee. He was issued with a chargesheet for his absenteeism in the year 1997 to which he did not submit any explanation even then enquiry was conducted and he participated in the enquiry. Witnesses were examined in his presence. The workman examined himself in his defence. however, his statement and submissions were not found to be satisfactory. Enquiry Officer submitted his report stating that the charges against the Petitioner were proved on the basis of which show cause notice was issued to the Petitioner and Disciplinary Authority passed order of dismissal. His appeal was also dismissed. The Petitioner remained silent for six years and has filed this petition after six years with much delay and latches. There is no explanation for the filing of this petition after such delay and latches, the petition deserves to be dismissed on this ground alone. The petition is baseless having no force and deserves to be dismissed.

- 4. Both the parties have filed their documentary evidence. Petitioner filed hand written application dated 5-12-2006, dismissal order dated 20-3-2001, salary slip, appointment letter dated 28-7-1996, xerox copy of medical certificates dated 29-4-97, 28-5-97 and undated medical certificate for period from 1-6-97 to 31-8-97, copy of the chargesheet, xerox copy of enquiry report, xerox copy of the enquiry proceeding. Respondent management has also filed the original chargesheet dated 12-9-98, acknowledgement receipt of the enquiry notice, enquiry notice, doemstic enquiry proceeding filed which consists of the original medical certificate dated 29-4-97, 28-5-97 and that undated medical certificate for the period from 1-6-97 to 31-8-97, enquiry report, show cause notice and dismissal order.
- 5. Before entering into the merits of the case under Sec. 11A of the Industrial Disputes Act, 1947, the question of legality and validity of domestic enquiry was considered and by the order dated 28-1-2010 the domestic enquiry was held to be legal and valid as the Petitioner conceded to the said question.
- 6. The case was posted for the argument. Learned Counsel for the Respondent submitted his written arguments. Every opportunity was afforded for the counsel

for the Petitioner workman to file written or oral argument but, after taking several dates Learned Counsel for the Petitioner did not argue the case. Hence, the arguments were closed. I have considered and has perused the claim statement, counter statement and evidence of the parties coupled with the departmental proceedings, on the basis of the pleadings and documentary evidence of the parties this tribunal has to consider:

- (I) "Whether the action of the management in terminating the services of the Petitioner. workman is illegal and unjustified?
- (II) Whether Petitioner workman remained absent for reasonable and valid cause during the year 1997?
- (III) Whether the Petitioner suffered from delay and latches?
- (IV) Whether the Petitioner is entitled for any relief?

 If yes, then to what relief?"
- 7. Point Nos. (I) and (II): It is admitted case of the parties that Petitioner is appointed on 31-7-1996 as badli filler and during the year 1997, he remained absent and put in only 71 musters as such, a chargesheet was issued to him and he was asked to submit his explanation. It is also admitted that domestic enquiry was conducted in which the Petitioner participated wherein he has produced three medical certificates, first certificate relates to a period from 20-4-1997 to 28-4-1997, second certificate relates to a period from 19-5-1997 to 27-5-1997. This certificate was produced during course of enquiry and the Enquiry Officer has considered the documents. Learned Counsel in his claim statement has contended that these certificates were not considered by the Enquiry Officer. I have gone through the enquiry report, the Enquiry Officer has reported that the Petitioner has filed his medical certificates. He has gone through the medical certificates, in his report he has concluded that these medical certificate have been filed with an attempt to cover up absence to some extent. Though the Learned Counsel for the workman has not placed any argument before this tribunal, even then this tribunal has to consider whether the filing of this medical certificate or the medical certificate justified the absence of Petitioner or not.
- 8. I have considered each and every medical certificate, the first medical certificate relate to the period 20-4-1997 to 28-4-1997 wherein the disease has been mentioned as UTI, the second certificate relate to a period

from 19-5-1997 to 27-5-1997 in which the disease has been mentioned as Malaria. If both these certificates are treated to be correct then the Petitioner remained absent for valid reasons for 8 days in April and 9 days in the month of May. The chargesheet shows that the Petitioner has remained absent prior to 20-4-1997 on 1st to 4th, 7th, 8th, 16th of April, and thereafter on 30th April. Again he remained absent on 2nd, 4th, 8th to 12th, 14th, 15th, May. What was the reason to remain absent on these days in the month of April and May, Petitioner has not been able to explain either before the Enquiry Officer or before this tribunal. Not only that the Petitioner was absent in the months of January, February and March. He has produced a third certificate that he was suffering from Jaundice and was under treatment of Dr. K. Indira, M.B.B.S., D.GO., who is supposed to be gynaecologist, a Doctor of ladies diseases. What has forced the Petitioner to take treatment under gynaecologist is not clear. If he was suffering from the disease of Jaundice he would have undergone treatment of a physician and not of a gynaecologist. The third certificate shows that he was under the treatment of the gynaecologist from 1-6-1997 to 31-7-1997 but the attendance sheet and statement of the management witness has proved that the Petitioner has worked on 23rd to 26th June and 12th to 13th of July and 7th August, 1997. This prove that the Petitioner was not under continuous treatment of Dr. K. Indira as has been mentioned by her. During this period also he has attended the office for few days. This amply proves that Petitioner has attempted to cover up his absence by producing these certificates which does not appear to be genuine and I agree with the findings of the Enquiry Officer. There is no perversity or illegality in the finding of the Enquiry Officer. The Petitioner has not been able to prove why he remained absent on those days for which he has not produced medical certificates. If he was continuously ill as alleged by him he would have produced the medical certificates. He has stated that he took treatment from the company hospital. He suffered fracture in his leg, sustained injuries in head while working in the mine but he has not been able to produce single piece of paper to show that he has suffered injuries during course of his duties or took treatment in company hospital. Thus, the entire allegation made in the claim statement is devoid of any merit and without any basis.

9. The Petitioner has put in only 71 musters even if he remained absent for 9 days in April on account of UTI and 10 days in May on account of Malarial disease, his absence for rest of days are not clarified and justified by him. He has not been able to prove that his absence is for

any reasonable or genuine cause. Thus, the management has not committed any illegality or unjustifiability in dismissing a person who is not interested to perform his duties. Though it is not alleged in counter but it appears that Petitioner is a highly qualified person holding the degree of B. Com., and P.G. diploma in Industrial Relations, he might not be interested in performing the job of badli filler or coal filler and he must have avoided to perform duties, he absented himself from duties. The absence is unjustfiable and without any reason or sufficient grounds and Point Nos. 1 and 2 decided accordingly.

- 10. Point No. 3: The Petitioner was dismissed in the year 2001. He did not file the claim petition within any reasonable period. He has filed it after lapse of six years and he has not been able to explain the reasons for delay, thus, it suffers from delay and latches. Though there is no limitation prescribed for proceeding under Sec. 2A (2) as such, it will not have effect on the merits of the case. Point No. 3 is decided accordingly.
- 11. Point No. 4: The Petitioner has absented himself without any reasonable and sufficient reasons. He appears to be an unwilling woker, as such, he is not entitled for any relief and the Punishment awarded is justifiable and in proportion to the misconduct committed by him.
- 12. From the above discussion, this tribunal is of the opinion that the claim petition is devoid of any merit, Petitioner does not deserve any sympathy and he is not entitled for any relief. Petition is dismissed. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 26th day of November, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 184.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की बारा 17 के अनुसरण में केन्द्रीय सरकार हुइकों के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय औद्योगिक अधिकरण नं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 71/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-12-2010 को प्राप्त हुआ था।

· [सं. L-42012/179/2005 आई. आर.(सी एम-II)] डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 24th December, 2010

S.O. 184.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 71/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of HUDCO, and their workman, which was received by the Central Government on 24-12-2010

[No. L-42012/179/2005-IR(CM-II)]
D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE ...

BEFORE DR. R.K. YADAY, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, KARKÁRDOOMA COURTS COMPLEX, DELHI

Industrial Dispute No. 71/2006

Shri Sadanand Tiwari, S/o Shri Ravati Ram Tiwari, C/o General Mazdoor Trade Union, Giri Nagar, Kalkaji, New Delhi-110049

. Workman

Versus

The Executive Director, HMSI, HUDCO, F-2/12, Khelgaon, New Delhi-110049

Management

AWARD

Housing and Urban Development Corporation (hereinafter referred to as the Corporation) was incorporated under Companies Act, 1956 in April, 1970. The Corporation has grown tremendously and its operations spread all over the country. It has Zonal Office at Chennai, 14 Regional Offices, Seven Development Offices and one Business Development Office. Human Settlement Management Institute (hereinafter referred to as the Institute) is a unit of the Corporation, which is engaged in training and research activities. The Institute is located at Lodi Road, New Delhi, while its hostel is located at Asian Village, New Delhi. Service Regulations were there to

provide service conditions for employees of the Corporation. In 1994 Recruitment and Promotion Rules cares in force to govern service conditions of the employees of the Corporation.

- 2. Cadres of the employees of the Competition are classified in to Executive and Non-Executive Groups. In Executive cadres group "A" and group "B" posts use there while in Non-Executive eadres group "C" and group "D" posts are placed. Group "D" posts are further categorized in three categories viz. skilled some skilled and moskilled. In skilled category posts of Driver, Bloctrician, Plumber. Cattering and House Keeping official orist, while lifenses falls in semi-skilled category. Unskilled category consist of Chowkidar, Sweeper, Mali, General Assistant/Attendants Farash, Despatch Rider, Assistant Festo Printer, Duffry Ferro Printer, Machine Operator and Mistry (Mason). No. post of Security Guard is available in either of the three categories of group D post. Recruitment to group D posts can be made through two charmels viz. (i) direct recomment: through Employment Exchange, and (ii) open market through advertisement in case Employment Exchange fails to sponsor candidates within a specified period.
- 3. To avail security services, the Corporation has entered into an agreement with M/s. Venguard Security. and Fire Services Pvt. Ltd. (in short the Contractor) who used to provide Security Guards to the Corporation in February, 2005 contract was awarded to M/s. Pearl Security. Services, to provide Seemity Guarda to the Corporation. Shri Sadanand Tiwari was craployed as Security Guard by the Contractor to work at the premises of the Institute. He was paid his wages by the contractor. When contract was awarded to M/s Pearl Security Services. Shri Tiwari could not get any job with the new contracts. Agarieved by the factum of his disengagement by the new contractor, he raised a demand with the Corporation for reinstatement of his services. When his demand was not conceded to, he raised an industrial dispute before the Conciliation Officer. When conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal for. adjudication vide order No. L-42012/179/2005-IR(CM-II) New Delhi dated 14th of September, 2006, with following

"Whether the action of the management of HUDCO in termining the services of Shri Sadanand Tiwari w.e.f. 20-2-2005 is legal and justified? If not, to what relief the workman is entitled?"

4. Claim statement was filed by Shri Sadanand Tiwari pleading that he was appointed as Security Guard by the Corporation w.e.f. 11-7-89. His fast drawn wages, were Rs. 5265/- P.M. He performed his duties in satisfactor, manner. The Corporation adopted unfair labour practice qua him. Legal facilities such as appointment letter, bonus, leave book, weekly and festival bolidays, over time and wage slip etc. were not provided to him. When he made a

request, he was assured by the Corporation that it would be provided within a short span of time. However, those facilities were not provided to him at any point of time. When he persisted in his demand, the Corporation got annoyed. On 20th of February, 2005 his services were. terminated without any cause or reason. Neither his earned wages for the period 1-2-2005 till 20-2-2005 were paid nor terminal benefits were given to him. Action of termination of his services is illegal and void ab initio. He approached the Corporation many a times for reinstatement of his services but to no avail. He served a notice of demand on the Corporation on 22-3-2005, which demand was neither conceded to nor responded. He taised an industrial dispute before the Conciliation Officer and ultimately reference was made to this Tribunal for adjudication. He seeks reinstatement in service of the Corporation with continuity and full back wages.

- 5. Claim was demurred by the Corporation pleading that there was no relationship of employer and employee between the parties. The Corporation agitates that the reference was made by the appropriate Government without application of mind to the facts and in an arbitrary manner. It was projected that the claimant was an employee of the Contractor, since a contract was awarded to him to provide security services. The claimant was engaged by the Conractor on 11-7-89. There was no question of providing any legal facilities to the chargent by the Corporation. Contract of the Contractor earne to an end on 31-1-2005, and thereafter contract to provide security services was awarded to M/s. Pearl Security Services w.e.f. 1-2-2005. There was no question of terminating services of the claimant by the Corporation, as claimed by him. It has been projected that claim statement; being devoid of merits, is liable to be rejected.
- 6. In the rejoinder the claimant reiterates facts pleaded by him in the claim statement.
- 7. On pleadings of the parties following issues were settled:
 - 1. Whether there was no relationship of employer and employee between the parties?
 - 2. Whether there was no industrial dispute for want of relationship of employer and employee between the parties?
 - 3. As in terms of reference.
 - 4. Relief.
- 8. Claimant has examined himself in support of his claim. He opted not to examine any other witness. The Corporation has examined Shri U.S. Dagar (MW 1), R.N. Biswas (MW2) and Shri Rajesh Menta (MW 3) in support of its defence.
- 9. Arguments were heard at the bar. Shri Anil Singhal, authorised representative, advanced arguments on behalf

of the claimant. Shri B.S. Rana, authorised representative raised his submissions on behalf of the Corporation. I have given my careful considerations to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows:

Issue No. 1

10. Shri | Sadanand Tiwari swears in his affidavit Ex.WW1/A that he was appointed by the officers of the Corporation in July, 1989 as Security Guard. He worked under their supervision. His wages were paid by the officers of the Corporation and his last drawn salary was Rs. 5265-PM. He worked with the Corporation till 20th of February, 2005. However, no appointment letter was issued to him. When he raised a demand of an appointment letter, a service certificate was issued in his favour. When he demanded appointment letter in February, 2005, his services were dispensed with on 20th of February, 2005 without any reason. On 22nd of March, 2005 letter of demand was sent to the Corporation, copy of which is Ex. WW1/1. He filed claim statement before the Conciliation Officer, copy of which is Ex. WW 1/3. During the course of his cross examination, he unfolds that he had not moved any application to the Corporation or the Institute for job. He concedes that employees of the Corporation were issued identity cards, while no identity card was issued to him. He projects that he had not written any letter to the Corporation asking ESI and Provident Fund facilities.

11. Shri U.S. Dagar unfolds that there is no post of Security Guard with the Corporation. The Corporation engages services of Security Guards through a contractor. An agreement was executed between the Corporation and M/s. Venguard Security and Fire Services Pvt. Ltd. in 1994, copy of which is Ex. MW 1/2. Shri Sadanand Tiwari never applied for job either to the Corporation or to the Institute. During the course of his cross-examination, he concedes that reports Ex. MW 1/W4 to Ex. MW 1/W20 were submitted by the Caretaker to the Welfare Officer of the Institute. He further concedes that certificates Ex. MW 1/W2 and Ex. MW 1/W3 bear signatures of Dr. Kulwant Singh, the Executive Director of the Institutes

12. Shri R.N. Biswas, presents that Dr. Kulwant Singh was not authorised to issue experience certificate to an employee. He unfolds that in February, 2003, Dr. Singh was placed under suspension vide communication Ex. MW 2/1. Punishment was awarded to him which was communicated vide letter dated 7-6-05, copy of which is Ex. MW 2/2. List of the employees of the Institute is Ex. MW 2/3. In December, 2003 Dr. Singh retired and Punishment was awarded to him after his retirement. He remained under suspension till the date of his retirement. He disputes that Dr. Singh was competent to issue letters, referred above.

13. Shri Rajesh Mehta presents that Security Guards working in the premises of the Institute were employees of the Contractor. Ex. MW 3/1 and Ex. MW 3/2 are copies of scrolls in respect of payment made to the Security Guards by the Contractor. Contractor used to keep original scrolls in his possession and submit photo copies to the Corporation. Ex. MW 3/3 is the copy of cheque along with its receipt given by Shri Tiwari to the Contractor, Ex. MW-3/4 is the copy of complaint made by Shri Tiwari and others, which was transmitted to the Contractor for action. During the course of his cross examination, he presents that being principal employer the Corporation used to check duties performed by Shri Tiwari. When Contractor used to submit his bills, supervisor used to verify facts to the effect that Shri Tiwari had worked for that month or not. He had placed copies of contracts entered into between the Corporation and the Contractor as Ex. MW 3/W1 and Ex. MW 3/W2, besides letters Ex. MW 3/W3 to Ex. MW3/ W15, written for extension of contracts. Bills submitted by the Contractor are placed over the record by him as Ex. MW3/W16 to Ex, MW 3/W18. Ex. MW3/W20 and Ex. MW 3/W21 are reports furnished by he Contractor to the parties.

14. During the course of appreciation of facts projected by the witnesses referred above, it came to light that the claimant sent a demand letter to the Corporation which is Ex. WW 1/1. On perusal of the demand letter stand taken by the claimant had emerged over the record. Though the claimant projects in Ex. WW 1/1 that he was employed by the Corporation, yet he details therein that the Corporation had shown him as an employee of the Contractor and placed his services at the disposal of the Institute with ulterior motive. In claim statement Ex. WW 1/3, submitted before the Conciliation Officer, same facts were pleaded. Therefore, out of these two documents it came to light that the claimant presents that he was shown as an employee of a contractor and his services were placed at the disposal of the Institute. Consequently, it is evident that in disguised words the claimant pleads that he was projected as an employee of the Contractor by the Corporation. It is implicit that in the demand letter and the claim statement filed before the Conciliation Officer claimant concedes that he was an employee of the Contractor, which modus operendi was adopted by the Corporation for ulterior purposes, This stand was discarded by the claimant when he filed his claim statement before the Tribunal and entered the witness box to testify facts. He projects in clear terms that he was an employee of the Corporation, under whom he worked from July, 1989 till 20-2-2005. One may say that oscillating stand taken by the claimant proves detriment to his cause.

15. Muh emphasis has been faid by the claimant on documents Ex. MW 1/W2 and Ex. MW 1/W3. For sake of convenience contents of Ex. MW1/W2 are reproduced thus:

"This is to certify that Mr. Sada Nand Tiwari son of Shri Revti Raman Tiwari resident of L-190, Saurav Vihar, Badarpur, Jaitpur, New Delhi-110044 has been working as a society guard and posted at Human Settlement Management Institute of HUDCO, Asiad Village, New Delhi-110049 since Separatic, 1969 He performed his duties most diligently and sincerely. He is most reliable and industrious person daving full integrity. He bears a good moral character. I wish him all success".

Ex. MW 1/W3 unfolds facts thus;

"It is certified that Shri Sadanand Tiwer is performing the duties of Security Guard in Housing and Urban Development Corporation at 212, Asiad Village. The said individual is performing shift day. He may happen to go lafe at night due to nature of duty".

16. Ex. MW I/W2 projects that Dr. Kulwant Singh . certifies that claimant has been working as security guard and posted at the Institute located at Aslad Village, New Delhi, since September, 1989. This document nowhere specifies as to whose employee the claimant was. A simple declaration is there in that documents that the claiming was working as security guard and posted at the institute. This document nowhere concludes that the claimant was an employee of the Corporation or the Institute. In Ex. MW 1/W3 Dr. Kulwant Singh certifies that Shri Tawari was performing duties of security guard in Corporation at 212, Asiad Village, New Delhi. This document also does not speak about the employment of the claimant by the Corporation or the Institute. Contents of these two documents, if appreciated in the light of posts available with the Corporation, which are projected in Ex. MW 1/1, would give true situation which Dr. Kulwant Singh unfolded therein. At the cost of repetition, it is highlighted that personnel of the Corporation has been classified into Executive-Non-Executive Groups. Executive groups consist of group A and group B officers, Non-Executive Cadre consist of group C and group D employees wherein officials working in project cadre, management service cadre, general clerical cadre, official language cadre, secretarial service cadre and general service cadre fall. General Service cadre has been sub-divided into skilled, semi-skilled and unskilled categories. In skilled category post of driver, electrician; plumber, category and house keeping fall while liftman falls in semi-skilled category. In unskilled category post of chowkidar, sweeper, mali, general attendant, farash; dispatch rider, assist fero printer, dattry, fero printer, machine operator and mason have been enlisted. No post of security, guard is there in general services cadre, hence it cannot fall in group D categories. When no post of security guard was available with the Corporation. Dr. Kulwant Singh, who was working as Executive Director (Training) with the Institute cannot certify that the claimant was an employee of the Institute/Corporation. He was also well aware of agreement executed between the Corporation and the Contractor, which is Ex. MW 1/2. In the light of these facts he issued certificates Ex. MW 1/W2 and Ex. MW 1/W3. Therefore, it is clear that in these certificates Dr. Ku want Singh nowhere proclaims that the claimant was working as security guard under the Corporation. When contents of these documents are read in between the lines, it crept over the record that Dr. Kulwant Singh announces that claimant was working as security guard in the premises of the Corporation at 212 Asiad Village, New Delhi. He had not certified that the claimant was an employee of the Corporation. Therefore, contents of these documents nowehere came to the rescue of the claimant. One will not conclude that these documents certify that the claimant was an employee of the Corporation.

- 17. In his testimony claimant concedes that no appointment letter was issued in his favour by the Corporation. According to him, no application for job was moved by him either to the Corporation or to the Institute. He also concedes that he was not got medically examined before giving job to him: He opted not to explain as to how he reacted the office of the Corporation to get employment. Shri Rajesh Mehta presents clinching facts, when he deposed that Ex. MW 3/3 is the copy of cheque along with receipt given by Shri Tiwari to the Contractor, When Ex. MW 3/B was perused, it came to light that a sum of Rs. 7380/- was released in favour of the claimant by the Contractor on 5th of February, 2005. Claimant had issued a receipt in respect of payment so made to him. Claimant had not explained as to under what circumstances this cheque was received by him. Therefore, these documents go to conclude that the claimant was receiving his wages from the Contractor in February, 2005
- 18. Shri Mehta further projects that the claimant alongwith other security goards made a complaint to the Institute, which complaint was forwarded to the management. He proved that complaint as Ex. MW 3/4. On perusal of Ex. MW 3/4 one would conclude that it bears signatures of the claimant besides other security guards. In Ex. MW 3/4 cliamant and other security guards made a complaint dated 23-2-2005 against the Contractor in respect of non payment of their salary for the month of January. 2005. As unfolded by Shri Mehta the said complaint was forwarded to the Conractor for needful. Contents of the complaint brings an admission of Shri Tiwari over the record to this effect that he was an employee of the Contractor. When a Contractor fails to make payment of wages to a contract employee, principal employer is under an obligation to make payment of his wages. Therefore, complaint Ex. MW 3/4 was rightly made to the Institute, which had forwarded it to the Contractor for action. These facts demolished the case projected by Shri Tiwari that he was an employee of the Corporation.
- 19. Shri U.S. Dagar highlights that Shri Sadanand Tiwari never applied for a job to the Corporation or the Institute. He was working as security guard at the premises

of the Institute, as an employee of the Contractor. The Contractor provided security guards to the Institute upto January, 2005. Thereafter M/s. Pearl Security Services was engaged to provide security guards. No security guard was employed by the Corporation or the Institute, since no such post exists. Contractor used to deposit contribution towards E.S.L. and Provident Fund, Ex. MW 1/6 is the copy of challan endorsed by the Contractor to the Institute. Ex. MW 1/7 is also copy of the challan so endorsed by the Contractor. Ex. MW 1/8 is the copy of the cheque released by the Institute in favour of the Contractor. Facts projected by Shri Dagar get reaffirmation through the deposition of Shri Mehta. He presents that Ex. MW 3/ 1 and Ex. MW 3/2 are copies of the scroll in respect of payment made by the Contractor to security guards. Therefore, out of facts detailed above it is crystal clear that the claimant was working as an employee of the Contractor, who deputed him to provide security services to the Institute.

- 20. Relationship of employer and employee is constituted by a contract, express or implied between employer and employee. A contract of service is one in which a person undertakes to serve another and to obey his reasonable orders within the scope of the duty undertaken. A contract of employment may be inferred from the conduct which goes to show that such a contract was intended although never expressed and when there has, in fact, been employment of the kind usually performed by the employees. Any such inference, however, is open to rebuttal as by showing that the relation between the parties concerned was on a charitable footing or the parties were relations or partners or were directors of a limited company which employed no staff. While the employee, at the time, when his services were engaged, need not have known the identity of his employer, there must have been some act or contract by which the parties recognized one another as master or servant.
- 21. No evidence worth name was brought over the record by the claimant to establish relationship of employer and employee between him and the Corporation. However, he places emphasis on Ex. MW 1/W4 to Ex. MW 1/W20 to project that he was being supervised by caretaker of the Institute. On perusal of these documents it is emerging that duties performed by security guards during night hours, were supervised by the caretaker of the Institute who used to submit a report to the Welfare Officer. These documents nowehere establishes that the claimants and others were assigned duties by the officials of the Institute. Their duties were being supervised as a caution, in order to see whether they were serious or casual in performance of duties. Such right is always available to the principal employer, to make a complaint to the Contractor in respect of work performed by a contract labour. These documents nowhere establish relationship of employer and employee between the parties. Consequently it is crystal clear that

these documents cannot bring accolades to the claimant. Claimant has miserably failed to establish relationship of employer and employee between the parties. The Corporation could establish that the claimant was an employee of the Contractor. Issue is, therefore, answered in favour of the Corporation and against the claimant.

Issue Nos. 2, 3 and 4

- 22. When claimant was an employee of the Contractor, in that situation there was no occasion available to the Corporation to dispense with his services. As projected above, a new Contractor was awarded work of providing security services to the Corporation in February, 2005. At that juncture services of the claimant came to an end. The appropriate Government had made a reference for articulation as to whether termination of services of the claimant by the Corporation w.e.f. 20-2-2005 was legal and justified. When there was no relationship of employer and employee between the Corporation and the claimant in that situation the terms of reference are uncalled for.
- 23. Whether this Tribunal can proceed to adjudicate the issue as to whether termination of the services of the claimant by the Contractor w.e.f. 20-2-2005 is legal and justified? In relation to any industrial dispute concerning an industrial undertaking or establishment enumerated in clause (a)(i) of section 2 of the Act, the Central Government is the appropriate Government. For the sake of convenience provisions of clause (a)(i) of section 2 of the Act are extracted thus:
 - "(a) appropriate Government" means-
 - (i) in relation to any industrial dispute concerning any industry carried on by or under the authority of the Central Government or by a railway company or concerning any such controlled industry as may be specified in this behalf by the Central Government or in relation to an industrial dispute concerning a Dock Labour Board established under section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), or the Industrial Finance Corporation of India Limited formed and registered under the Companies Act, 1956 (1 of 1956) or the Employees' State. Insurance Corporation established under section 3 of the Employees' State Insurance Act, 1948 (34 of 1948), or the Board of Trustees constituted under section3A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), or the Central Board of Trustees and the State Boards of Trustees constituted under section 3A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), or the Central Board of Trustees and the State Boards of Trustees constituted under section 5A and section 5B, respectively, of the Employees'
- Provident Fund and Mincellaneous Provisions Act, 1952 (19 of 1952), or the Life Insurance Corporation of India established under section! 3 of the Life Instrumee Corporation Act, 1956 (31 of 1956), or the Oil and Natural Gas Corporation Limited registered under the Companies Act, 1956 (1 of 1956), arthu Dupusit Insurance and Credit Guarantee Compration: established under section 3 of the Deposit-Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), or the Central, Warehousing Corporation established ander section 3 of the Warehousing Corporations Act, 1962 (58 of 1962), or the Unit Trast of India established under section 3 of the Livit Trust of India Act, 1963 (52 of 1963), or the Food Corporation of India established under section 3, or a Board of Management. established for two or more contiguous States under section 16, of the Food Corporations Act, 1964 (37 of 1964), or the Airports Authority: of India constitued under section 3 of the Airports Authority of India Act; 1994 (55-of 1994), or a Regional Rural Bank established under section 3 of the Regional Rural Banks. Act, 1976 (21 of 1976), or the Export Credit and Guarantee Corporation Limited or the Industrial Reconstruction Bank of India: Limited, the National Housing Banks established under section 3 of the National Housing Bank Act, 1987 (53 of 1987) or an air transport service, or a banking or an insurance. company, a mine, an oil field, a Cantonment Board, or a major port, the Central Government and
- (ii) in relation to any other industrial dispute, the State Government;"
- No evidence worth name came over the record that the claimant was an employee of the Corporation or the Institute. As concluded above, he was an employee of the Contractor. Hence, question arises as to who shall be the appropriate Government for the present dispute. Answer has been provided in clause (a)(ii) of section 2 of the Act, which contemplates that in relation to any other industrial dispute the State Government is the appropriate Government. However, this Tribunal is not oblivious of the proposition that Union Territory of Delhi enjoins a special status under the Constitution. Delhi is a Union Territory having some special provisions with respect to its administration. Article 239 of the Constitution speaks that every union territory shall be administered by the President. acting to such extent as he thinks fit, through an administrator to be appointed by him with such designation ... as he may specify. Article 239 AA makes special provisions. with respect to Delhi, detailing therein that the Union

Territory of Delhi shall be called the National Capital Territory of Delhi and the administrator thereof appointed in Article 239 shall be designated as the Lieutenant Governor. There shall be Legislative Assembly, and provisions of Articles 324 to 327 and 329 shall apply in relation the Legislative Assembly of the National Capital Territory of Delhi as they apply in relation to a State. The Legislative Assembly shall have power to make laws for the whole or any part of the National Capital Territory with respect to the matters enumerated in the State List or the Concurrent List except the matters with respect to entries 1, 2 and 18 of the State List and entries 64, 65 and 66 of that list, in so for they relate to the said entries 1, 2 and 18. The Council of Ministers shall be headed by the Chief Minister to ail and advise the Lt. Governor in exercise of his functions in relation of the matters with respect to which the Legislative Assembly has power to make laws. In case difference of opinion between Lt. Governor and his ministers of any matter, the Lt. Governor shall refer it to the President for decision and act according to the decision given thereon by the President and pending such decision the Lt. Governor is competent to take action in urgent matters. The Chief Minister shall be appointed by the President and Ministers shall be appointed by the President on the advise of the Chief Minister. Therefore, it is evident that though a Legislative Assembly is there in National Capital Territory of Delhi, yet it is a union territory administered by the President through the Administrator appointed by him. In case of difference of opinion between the Administrator and the Ministers, it is the decision of the President that prevails. Consequently the State Government merges with the Centre when Lt. Governor administer the Union Territory or in case of difference of opinion the President decides the issue.

25. State Government has been defined the clause of section 3 of the General Clauses Act, 1897, in respect of anything done of to be done after commencement of the Constitution (7th Amendment) Act, 1956 in a case of State, the Governor and in a Union Territory, the Central Government. Therefore, it is evident that for a Union Territory, no distinction has been made between the State and the Central Government. The President Administers the Union Territory, through an Administrator appointed by him. In case of National Capital Territory of Delhi, it is being administered by the President though the Lieutenant Governor. Though there is a legislative Assembly and Council of Ministers, yet in case of dillerence of opinion between the Lieutenant Governor and Council of Ministers. the decision of the President shall prevail, which fact make it clear that for the purpose of administration of the union territory, the Central and the State Government merges over certain matter.

26. High Court of Delhi was confronted with such a proposition in M.K. Jain (1981 Lab. I.C. 62) wherein it was laid as follows:

"The award was sought to be voided, inter alia, on the ground that by virtue of the Constitution and composition of the Corporation, Central Government was the only authority competent to make a reference of the dispute to the Industrial Court and that the reference by the Lieutenant Governor of Delhi was, therefore, in excess of power. Even otherwise no exception could be taken to the order of reference, even if it be assumed that Central Government was the appropriate Government, in asmuch as the distinction between the Central and the State Government in relation to the Union Territory in our constitutional framework is rendered illusory, Union Territory is administered by the President of India under Article 239 of the Constitution of India, acting to such extent as he thinks fit. Therefore, the Administrator, to be appointed by him, in the case of Union territory, there is an amalgamation of the constitutional classification of legislative and executive powers between the Centre and the States. According to section 3(60) of the General Clauses Act, the "Central Government" in relation to the Administration of Union Territory means the Administrator acting within the scope of authority given to him under Article 239 of the Constitution of India and in terms of section 3(60) of the General Clauses Act, "State Government" as respects anything done or to be done in the Union Territory means the Central Government. In the case of Union Territory, therefore, the Central and State Governments merge and it is immaterial whether an order of reference is made by one or the other. This contention must, therefore, fail".

27. Again in Mahavir [97(2002) DLT 922] the High Court was confronted with the same proposition. Relying the precedent in M.K. Jain (supra) with profit it was ruled that reference made by the Government of NCT of Delhi was not bad despite the fact that appropriate Government was the Central Government. Difference of State Government and Central Government goes to the brink of abolition when State Government has been defined as the Central Government by clause (60) of section 3 of the General Clauses Act and Delhi is being administered by the President thorugh the Administrator appointed by him. Therefore, be aforesaid precedents make it clear that a status of union territory of Delhi can be termed as Central Government in certain matters.

28. Whether the Central Government can be termed as State Government for any purpose? Article, 53 of the Constitution provides that the executive power of the Union shall vest in the President and shall be exercised by him either directly or through officers subordinate to him in accordance with the Constitution. Article, 73 defines extent of executive power of the Centre, that is, on matters which shall be controlled and administered by the Central

Executive. It has been detailed therein that the executive power of the union shall extend-(a) to the matters with respect to which Parliament has power to make laws and (b) to the exercise of such rights, authority and jurisdiction as are exercisable by the Government of India by virtue of any treaty or agreement. The extent of the State's executive power is set out in Article, 161 of the Constitution. Administrative relations between the Union and the states is to be dealt in accordance with the provisions of Article 256, 257, 258, 258A, 260 and 261 of the Constitution. Article 258A'was added by 7th Amendment Act, 1956 to make a matching provision to clause (1) of Article, 258 of the Constitution. While exercising powers contained in clause (1) of Article 258, the President is empowered to entrust union functions to a State Government or its officers. There was no provisions enabling the Governor of a State to entrust state functions to the Central Government or its officers. That lacuna was found to be of practicable difficulty and provisions of Article, 258 A were inserted in the Constitution. Thus it is evident that arena of union executive powers and the state executive powers are well defined.

29. Clause (8) of Section 3 of the General Clauses Act defines the Central Government in relation to administration of Union Territory, the Administrator thereof acting within the scope of authority given to him under Article, 239 of the Constitution. Therefore, it is evident that Administrator of Government of N.C.T. Delhi has been defined to mean as Contral Government to administer the Union Territory of Delhi. Hence for the limited purposes, provided in the Constitution, executive functions of the Central Government can be entrusted to Government of a State or its Officers. The Central Government would not be termed as the State Government, when those functions are being executed by the State Government or its officers. So executive power of the Union can be exercised, in certain matters by the State Government or its officers but in that situation too the Central Government would not be termed. as the State Government. The special provisions referred above would not make the reference, made by the Central Government as the reference made by Government of N.C.T. of Delhi.

30. There is other facet of the coin. This Tribunal was constituted vide Notification No. A-11020/33/75-CLT dated 30-9-76. It was provided in the notification that the Tribunal has been constituted under the powers provided in Sub-section (1) of Sub-section (2) of Section 7-A of the Act, with its head quarter at New Delhi. Another notification was issued on that very date empowering the Tribunal to adjudicate applications moved in Sub-section(2) of Section 33-C of the Act, in relation to the workman employed in any 'industry' in the Union Territory of Delhi, in respect of which the Central Government is the appropriate Government. Therefore, the Tribunal has been empowered to adjudicate industrial disputes, in respect of which

Central Government is the appropriate Government. As pointed out above, the appropriate Government in this case is the State Government. Under these circumstances this Tribunal cannot entertain the present dispute for adjudication, in respect of which appropriate Government is the State Government.

31. Since this Tribunal cannot invoke its jurisdiction to adjudicate the reference, hence the Tribunal refrains its hands from entering into the merits of the matter. The Central Government was not competent to make a reference of this dispute to this Tribunal. The parties should seek redressal at the appropriate forum. With these observations an award is passed. It be sent to the appropriate Government for publication.

Dated: 25-10-2019

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2010

का. आ. 185. - मैसर्स अग्रवाल सहजेयर वर्कस एवं काउंबीज (ग्रा.) लिमिटेड (कैनेई क्षेत्र में कोर्ड संख्या डब्ल्यूबी/167 के अंदर्शत) (इसमें इसके उपरांत स्थापना के रूप में संदर्भित) ने कर्मवारी अविच्य निधि और प्रकीण उपबंध अधिनियम, 1952 (1952 को १५) (इसमें इसके उपरांत अधिनियम के रूप में संदर्भित) को भारा 17(1)(क) के अंतर्गत भारत सरकार द्वारा अदान की महिन्दूर को रह करने के लिए आवेदन किया है।

- 2. उपर्युक्त स्थापना को कर्मचारी भविष्य निश्चि और प्रकीर्ण उपबंध अधिनियम, 1952 की धारा 17(1)(क) के अंतर्गत, 01-11-1952 से छूट प्रदान करते हुए दिनाक 07-12-1962 को एक आदेश जारी किया गया था।
- 3. अब मारत सरकार के ध्यान में ये बात आई है कि उक्त स्थापना ने 01-08-2010 से अपनी छूट अध्वर्षित कर दी है तथा यह आगे कोई कार्यकलाप महीं कर रही है।
- 4. अतः, अब उक्त अधिनियम की धारा 17 की उत्तेषास (4) द्वारा प्रदत्त शिक्तियाँ का प्रयोग करते हुए कन्द्रीय सरकार उपर्युकत स्थापना को प्रदान को गई खूट को एतद्द्वास 01-08-2010 से रह करती है।

[सं. एस-35017/21/2010-एस एस-11] एस. डी. जेनियर, अवर सचिव

New Delhi, the 30th November, 2010

S.O. 185.—Whereas M/s. Agarwal Hardware Works & Foundries (P) Limited funder Code No. WB/167 Chennai region] (hereinafter referred to as the establishment) has applied for cancellation of exemption granted by Government of India under Section 17(1)(a) of the EPF & MP Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

- 2. Whereas a Order dated 07-12-1962 granting exemption w.e.f. 01-11-1952 under Section 17(1)(a) of the EFF & MP Act, 1952 to the said establishment.
- 3. And whereas now it has come to the notice to the Government that the establishment has surrendered its exemption with effect from the 01-08-2010 and it is no longer carrying on any activity.
- 4. Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 17 of the said Act, the Central Government hereby cancels the exemption granted to the said establishment with effect from the 01-08-2010.

[No. S-35017/21/2010-SS. II] S.D. XAVIER, Under Secy.

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 186 — कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा-(3) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, केन्द्रीय सरकार एतरहारा 01 जनवरी, 2011 को उस तारीख के रूप में नियंत कारती हैं, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप-धारा -(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध आन्ध्र प्रदेश राज्य के निम्निलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात:

"आंध्र प्रदेश राज्य के नलगीण्डा बिले के मेल्लचेरुवु मण्डल के मेल्लचेरुबु, रामापुरम् तका मेल्लचेरुबु मण्डल के चिन्तपालेम् राजस्य गाँव के सीमा के ऑस्पेर स्थित सभी क्षेत्र।"

> [**सं. एस-35**013/53/2010-एसएस-I] **एस. डी. जेवि**यर, अवर सचिव

New Delhi, the 24th December, 2010

S.O. 186.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-Vand VI (except sub-Section) (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:

"All the areas falling within the limits of Revenue villages of Mellacheruvu, Ramapuram and Chinthapalem of Mellacheruvu Mandal in Nalgonda District of Andhra Pradesh."

[No. S-38013/53/2010-S.S. I] S.D. XAVIER, Under Secy.

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 187. --कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा-(3) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम कं अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उपधारा -(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है! के उपबंध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात:

"आंध्र प्रदेश राज्य के रंगारेड्डी जिले के शामीरपेट मण्डल क तुमुकुंटा, मदायपल्ली, पोतायपल्ली, अंतायपल्ली, बोम्मर्सपेट, उप्परपल्ली (शामीरपेट राजस्व गांव), बाबागुड़ा (शामीरपेट राजस्व गांव) जवाहर नगर (बिट्सपिलानी) और सिंगायपल्ली राजस्व गांव के सीमा के अंतर्गत स्थित सभी क्षेत्र।"

> [सं. एस-38013/54/2010-एसएस-1] एस. डी. जेवियर, अवर सचिव

New Delhi, the 24th December, 2010

S.O. 187.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st January, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section-(1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:

"All the areas falling within the limits of Revenue villages of Thumukunta, Mandaipally, Pothaipally, Anthaipally, Bommaraspet, Upperpally (Shameerpet Revenue Village), Babaguda (Shameerpet Revenue Village), Jawahar Nagar (Bitspilani) and Singaipally of Shameerpet Mandal in Ranga Reddy District of Andhra Pradesh."

[No . S-38013/54/2010-S.S. I] S.D. XAVIER, Under Secy.

नई दिल्ली, 24 दिसम्बर, 2010

का. आ. 188.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-! की उप-धारा (3) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 जनवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उपधारा -(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध आन्ध्र प्रदेश राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

"आंध्र प्रदेश राज्य के विजयनगरम जिले के पूसपाटिरेगा मण्डल के जी. चोडवरम् (छोड़ा गांव पौरम को मिलाकर), चोडमा। अग्रहारम्, कोव्याहा कदिवलसा (छोटे गांव नक्कनिपेटा, भारवय्यपेटा, बोड्डूवानिकल्लालु) तथा कनिमल्ला (छोटे गांव कामवरम को मिलाकर) राजस्य गांव के सीमा के अंतर्गत स्थित सभी क्षेत्र।"

> [सं. एस-38013/55/2010-एसएस-1] एस. डी. जेवियर, अवर सचिव

New Delhi, the 24th December, 2010

S.O. 188.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st Januayy, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters-V and VI [except sub-section-(1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:

"All the areas falling within the Revenue Villages of G. Chodavaram (Including Hamlet viz., Poram) Chodamma Agraharam, Kovvada, Kandivalasa (including Hamlets viz., Nakkanipeta, Madavayyapeta, Boduvanikallalu and Kanimala (including Hamlet viz., Kamavaram) of Pusapatirega Mandal of Vizianagaram District of Andhan Pradesh."

[No.S-38013/55/2010-S.S.1] S.D. XAVIER, Under Secv.

नई दिल्ली, 29 दिसम्बर, 2010

का, आ. 189.—जबिक मैसर्स आईटीडी सीमेंटेंशन इंडिबा लिमिटेड [बांद्रा क्षेत्र में कोड संख्या एमएच/20241 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मवारी मविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 को 19) (एतदुपरात अधिनियम के रूप में संदर्भित) की धारा 17 की उपधारा (1) की खण्ड (क) के अंतर्गत छूट के लिए आवेदन किया है।

- 2. और जबिक, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में बिनिर्दिष्ट नियमों की तुलना में कम हितकर नहीं हैं और कर्मचारी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतपुररान्त योजना के रूप में संदर्भित) के अंतर्गत अन्य मविष्य निधि लाम भी प्राप्त कर रहे हैं।
- केन्द्र सरकार एतद्द्वारा, अब उक्त अधिनियम की धारा 17
 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शतों को ध्यान

में रखते हुए, उन्त प्रसिद्धान को उन्त प्रोक्त के सकरत उपनी के प्रधानन से 01-03-1991 से अंगरत अविज्यान के के लिए पूट प्रदान करती है।

> [सं पुरा-35015/31/2010 प्रसारत-11] पुरा की. जेडिका, अधर संस्थित

New Delhi, the 29th December, 2010

S.O. 189.—Whereas M/s. ITD Consentation India. Limited [under Code No. MH/20241 in Bendra Region] (hereinafter referred in as the establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

- 2. And whereas in the opinion of the Central Government, the rates of the provident fined of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provident funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.
- 3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of sill the provisions of the said Scheme with affect from 01-03-1991 until further notification.

[No. S-35015/31/2010-SS, II] S.D. XAPTER, Under Secy.

म**ई दिल्ली, 29 दिसम्बर, 2010**

का. आ. 190.—जबकि मैंसर्स गुबरात हैवी कोमिकल लिमिटेड [गुजरात सेड् में कोड संबंध बीबे/1986] के बंदार्गत] (एसदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मधारी प्रविष्य निधि और प्रकीर्ण उपबंध अधिनियमं, 1952 (1952 का 19) (प्रतदुपरात अधिनियमं के रूप में संदर्भित) की कारा 17 की उपबार (1) के खण्ड (क) के अंतर्गत कुट के लिए अधिक किया है।

2. और जबकि, केन्द्र सरकार के विकार में आवाक कर के मामले में उक्त प्रतिकान के भविष्य किये के कियम आपके कार्यक्रियों के लिए उक्त अधिनिवंग की खार 6 में विनिर्देश कियमी की तुलना में कम दितकर नहीं है और सम्बंधित समान अपूर्ति के किसी अन्य प्रतिकान के कर्मचारियों के संबंध में उक्त अधिनिवंग के कर्मचारी मविष्य निधि योजना, 1952 (एतपुम्बत्त योजना के अन्य में सहितित) के अंतर्गत अन्य मविष्य निधि शाम में प्रांत कर की हैं। 3. केन्द्र सरकार एक्स्प्राय, अब कार्य अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) क्रिए प्रस्ता शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय भर विनिर्दिष्ट शर्तों को ध्यात में रखते हुए, उक्त प्रतिस्थान को उन्त योजना के समस्त उपबंधों के प्रधालन से 01-02-1991 से अयांकी अधिस्थाना तक के लिए छूट प्रधान करती है।

> [सं. एस-35015/29/2010-एस एस-11] एस. इंडि. बेवियर, अवर सचिव

New Delhi, the 29th December, 2010

S.O. 190.—Whereas M/s. Gujarat Heavy Chemical Limited [under Code No. GI/19861 in Gujarat Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of Sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

- 2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in Section 6 of the said Act and the employees are also in enjoyment of other Provident Fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.
- 3. Now, therefore, in exercise of the powers conferred by clause (a) of Sub-section (1) of Section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-02-1991 until further notification.

[No. S-35015/29/2010-SS. II] S.D. XAVIER, Under Secy.

नई दिल्ली, 6 जनवरी, 2011

का. आ. 194.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा-(3) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, केन्द्रीय सरकार एतदहरार 01 फरवरी, 2011 को उस तारीख के रूप में निवत करती हैं, विसको उक्त अधिनियम के अध्याव-4 (44 व 45 धारा के सिंबीय को पहले से प्रवृत्त हो चुकी हैं) अध्याय-5 और 6 धारा-76 की उप-धारा (1) और धारा-77, 78, 79 और 81 के सिंबीय जो पहले ही प्रवृत्त की जा चुकी हैं] के अध्याय आने प्रदेश राज्य के निवासिक्षत क्षेत्रों में प्रवृत्त होंगे, अधीत :

"आंध्र प्रदेश राज्य के चरंगल जिले के हनमकीण्डा मण्डल में विम्मापुर हवेली और गोपालपुर, गोसुगोण्डा मण्डल,में गीसुगोण्डा और उकल, इसनपर्ती मण्डल में मुच्चेर्ला और येल्लापुर राजस्य गांव के सीमा के अंतर्गत स्थित सभी क्षेत्र ।"

> [सं एस-38013/04/2011-एसएस-1] एस. डी. जैवियर, अवर सचिव

New Delhi, the 6th January, 2011

S.O. 191.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st February, 2011 as the date on which the provisions of Chapter IV (excet Sections 44 and 45 which have already been brought into force) and Chapters-V and VI [except Sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the sald Act shall come into force in the following areas in the State of Andhra Pradesh namely:

"All the areas falling within the Revenue Villages of Thimmapur Haveli and Gopalpur of Hanamkonda Mandal, Geesugonda and Ookal of Geesugonda Mandal and Mucherla and Yellapur of Hasanpathy Mandal in Warangal District of Andhra Pradesh."

> [No. S-38013/04/2011-SS1] S.D. XAVIER, Under Secy:

नई दिल्ली, 6 जनवरी, 2011

का. आ. 192.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वार 01 फरवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा -(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध करेल राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

"जिला इ**ड**क्की के तोडुपुषा तालुक में मुटटम राजस्व गांव के अंतर्गत आने वाले क्षेत्र ।"

> [सं एस-38013/03/2011-एस.एस.-।] एस. डी. जेवियर, अवर सचिव

New Delhi, the 6th January, 2011

S.O. 192.—In exercise of the powers conferred by Sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st February, 2011 as the date on which the provisions of Chapter-IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-section) (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Kerala namely:

· "The areas within the Revenue Village of Muttom in' Thodupuzha Taluk of Idukki District."

[No. S-38013/03/2011-S.S.1] S.D. XAVIER, Under Secy.

नई दिल्ली, 6 जनवरी, 2011

का. आ. 193.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा-(3) द्वारा प्रदत्त शिक्तरों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 01 फरवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उकत अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप-धारा -(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध आन्ध्र प्रदेश राज्य के निम्निखिक क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

"आंध्र प्रदेश राज्य के श्रीकाकुलम् जिले के श्रीकाकुलम नगर के सीमा में स्थित सभी राजस्व गांव तथा श्रीकाकुलम मण्डल के सिंगुपुरम, पेद्दपाडु, कुसेलपुरम, केशवरावपेटा राजस्व गांव तथा श्रीकाकुलम् जिले के गारा मण्डल के अच्चनापालम ।"

> [सं. एस-38013/02/2011-एसएस-1] एस. ब्री. जेवियर, अवर सचिव

New Delhi, the 6th January, 2011

S.O. 193.—In exercise of the powers conferred by Sub-section (3) of Section1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st February, 2011 as the date on which the provisions of Chapter IV (excet Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-section) (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh namely:

"All the areas falling within the limits of Srikakulam Town and the Revenue Villages of Singupuram, Peddapadu, Kuselapuram, Kesavaraopeta of Srikakulam Mandal and Atchannepalem of Gara Mandal in Srikakulam District of Andhra Pradesh."

[No. S-38013/02/2011-SS I] _S.D. XAVIER, Under Secy.

नई दिल्ली, 6 जनवरी, 2011

का. आ. 194 - कर्मचारी राज्य बीमा अधितियम, 1948 (1948 का 34) की धारा-1 की ठप-धारा-(3) द्वारा प्रदत्त शिक्तयों का प्रयोग करते हुए, केन्द्रीय सरकार एत्द्द्वारा 01 फरवरी, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 [धारा-76 की उप-धारा -(1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपवंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे. अधीत:

क्रमांक	राजस्य ग्राम का नाम	. वहसील व जिला
1	2	3
1.	बस्सर 💛	लुवियाना
2	पर्दी	सुधियान
3.	मग्वानपुर	सुवियाना
4	हु गरी	लुभियाना
5.	टिब्बा 🔪	लुधियाना
6.	डमेदपुर	लुबियामा
7.	भरौड	लुधियाना
. 8.	लाड्वाल 👑	सुनियसा
9.	आलोवास	सुषियाना
10.	मानेवाल	लुभियाना
11	बोकर-डोगरा	लुषियांना -
12.	नूरपुर, बेट	लुविक्त मा
13.	न्रवाला	लुधियाना
14.	पहारूवाल	लुबियाना
15.	लाटों दाना	लुधियाना
16.	कटानी कलां	सुविक्षा
17.	लाटों जोगा	लुभियाना -
18.	पंगलियां	सुविकना
19.	कृंगकर्ला	सुवियाना
20.	पामा कर्ला	सुधियान
21.	Pal	लुवियना
. 22. 1	लक्कोवाल	लुधियाना `

[सं एस-38013/01/2811+एकप्स-1] एस. डी. जेरियर, अब्द संस्थि

New Delhi, the 6th January, 2011.

S.O. 194.—In exercise of the powers conferred by Sub-section (3) of Section1 of the Employees. State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st February, 2011 as the date of which the provisions of Chapter-IV (excet Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section) (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely:

St.	Name of the	Village	Tehsil & District
No.			
.1	2		3 -
1.	Jassar	- (Ludhiana
. 2	Paddi		Ludhiana

1	2	3
3.	Bhagwanpura	Ludhina
4.	Dugri	Ludhiana
5.	Tibba	Ludhiana
6.	Umedpur	Ludhiana
7.	Dharour	Ludhiana
8.	Lauduwal	Ludhiana
9.	Allowal	Ludhiana
10.	Manewai	Ludhiana
11.	Bonker-Dogran	Ludhiana
12.	Nurpur Bet	Ludhiana
13.		Ludhiana
14.	Paliruwal	Ludhiana
15.	Laton Dans	Ludhiana
16.	Katani Kalen	Luchiana
17.	Laton Joga	Ludkiana
18.	Panglian	Ludhima
19.	1 1 1 1	Ludiana
20.	Bhama Kalen	Lardislana
21.	Kubba	Lindhiana
22	Lakhowal	Ludhima

[No. \$3801301/2011-S.S.I] S.D. XAVIER, Under Secy.

नई दिल्ली, 6 जनवरी, 2011

का. 195 - महर्गवारी सन्त्र की का सिनाना; 1948 (1948 का 34) की कार 1 की कर कार (3) हात अवस्त्र सिनानी का प्रयोग करते हुए, केन्द्रीय सरकार प्रमुख्य की करवार, 2011 की कर तारीका के रूप में निवान करते हैं, जिसकों क्रांस वास्त्रिक के का का का का कि सिनान को पहले से प्रयुत्त हो जुकी हैं) अध्याय-5 और 6 कि सिनान की कर-वार (1) और वार 77,78,79 और 81 के सिनान जो पहले ही प्रमुत्त की का चुकी हैं) के उपक्ष हरियान राज्य के निम्निलिखित केंग्रें में प्रमुत्त की का चुकी हैं) के उपक्ष हरियान राज्य के निम्निलिखित केंग्रें में प्रमुत्त हरीं, सर्वार :

5मं	संजस्य माग	हर्वसा संख्या	निसा
1	2	3	4
l:	कावरा	156	फरीदाबद
2	भुपानी	143	परीदाबाद
3.	वजीरपुर	137	फरीदाबाद
4.	बुदैमा	124	करीदाबाद
5.	नचौली	155	प्रारीदाबाद
6.	पलक्सी	- 138	क बैदाबाद
7.	कबुलपुर	169/170	फरीदाबाद
8.	जासना	110	फरीदाबाद
9.	मोहना	204	फरीदाबाद
0.	खेरीकला	113	ं फरीदांबाद

1 2	3	4
11. छायसा	202	फरीदाबाद
12. फरीदपुर	99	फरीदाबाद
13. बधोला	115	फरीदाबाद
14. बरोली	116 [.]	फरीदाबाद
15. चांदपुर	187	फरीदा बा द
16. औरंगाबाद	81	, पलवल
17. रेहराना	83	पलवल

[सं. एस-38013/05/2011-एसएस-I] एस. डी. जेवियर, अवर संचिव

New Delhi, the 6th January, 2011

S.O. 195.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st February, 2011 as the date on which the provisions of Chapter-IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-section) (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Haryana namely:

Sl. Revenue Village No.	Had. Bast. No.	District
1 2	3	4
1. Kanwra	156	Faridabad
2. Bhupani	143	Faridabad
3. Wazirpur	137	Faridabad
4. Budaina	124	Faridabad
5. Nachauli	155	Faridabad
6. Palwali	138	Faridabad
7. Kabulpur	169/170	Faridabad
8. Jasanaa	110	Faridabad
9. Mohna	204 '	Faridabad
10. Kheri Kalan	113	Faridabad
11. Chhainsa	202	Faridabad
12. Faridpur	99	Faridabad
13. Bathola	115	Faridabad
14. Baroli	116	Faridabad
15. Chandpur	187	Faridabad
16. Aurangabad	81	Palwal -
17. Rehrana	83	Palwal

[No. S-38013/05/2011-S.S. I] S.D. XAVIER, Under Secy.